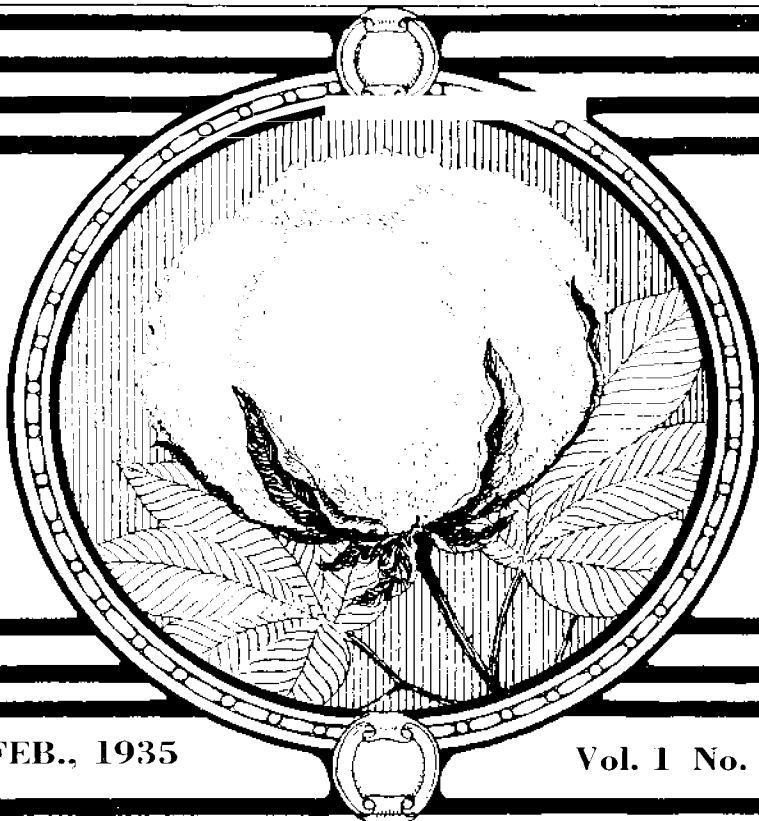


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# **THE JOURNAL OF SOUTHERN HISTORY**

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# Great Britain, the United States, and the Negro Seamen Acts, 1822-1848

By PHILIP M. HAMER

The federal character of the government of the United States, despite its many advantages, has within it possibilities of embarrassment in the conduct of relations between the United States and other members of the family of nations. To the federal authority the Constitution has given power and responsibility in the field of international affairs; yet a state, acting within its reserved sphere of power, may give offense to a foreign government and involve the United States in difficulties.<sup>1</sup> One example of this is to be found in the passage by several southern states, in the generation preceding the Civil War, of acts which imposed restraints upon free Negro seamen in their ports. Against these Great Britain protested to the United States without avail. Southern states asserted successfully the doctrine of state rights.

The first state to enact one of these laws, which for convenience are referred to as Negro seamen acts,<sup>2</sup> was South Carolina. The occasion was the discovery in 1822 of a plot for a slave insurrection in Charleston under the leadership of Denmark Vesey, a free Negro. This caused great excitement and a widespread fear that other free Negroes would infect slaves with ideas of freedom.<sup>3</sup> Accordingly, on December 21, 1822, the legislature passed an act which required that free Negro employees on any vessel which might come into a South Carolina port be imprisoned until the vessel should be ready to depart; that the captain of the vessel pay the expenses of their "detention" and take them away from

<sup>1</sup> Well known instances are the McLeod case in New York, the Italian lynchings in New Orleans, and the Alien Land Laws in California.

<sup>2</sup> Some were concerned not only with the placing of restrictions upon Negro seamen but with the attempt to prevent the contact of free Negroes generally with slaves.

<sup>3</sup> H. M. Henry, *The Police Control of the Slaves in South Carolina* (Emory, Va., 1914), 152-154. A brief discussion of the South Carolina Negro seamen acts is in Ch. XIII.

the state; and that upon the captain's failure to do this, they be deemed "absolute slaves" and sold.<sup>4</sup>

Within a few weeks free colored seamen on a number of vessels in the port of Charleston were jailed. The captain of one of the American ships appealed to the South Carolina courts for the release of two of his seamen, charging that the act of 1822 was in violation of the Constitution of the United States. The lower court, however, upheld the constitutionality of the act, and the state's highest tribunal refused to overrule it. Thereupon the masters of several vessels memorialized Congress unsuccessfully for relief.<sup>5</sup>

Meanwhile, the mate and four seamen of a British ship from Nassau had been taken to jail. With difficulty their release was secured upon payment of the expenses of their imprisonment.<sup>6</sup> When this was reported to Stratford Canning, British minister in Washington, he sent to John Quincy Adams, secretary of state, a brief but vigorously worded note. He protested against South Carolina's law and the "most grievous and extraordinary" treatment accorded His Majesty's subjects under it, and he requested that the United States government take action "to prevent the recurrence of any such outrage in future."<sup>7</sup> Four months passed before Adams replied; but when he did, under date of June 17, he assured Canning that his government had taken measures to remove the cause of complaint—measures which he did not doubt had been successful and would prevent similar difficulties in the future.<sup>8</sup> Though he did not explain to the British minister the nature of the steps he had taken, he had

<sup>4</sup> *Acts . . . of the State of South Carolina . . . 1822* (Columbia, 1823), 11-14. The act did not mention passengers.

<sup>5</sup> "Memorial of sundry masters of American vessels lying in the port of Charleston, S. C.," *Niles' Register*, XXIV (1823), 31.

<sup>6</sup> James Calder to Benjamin Moodie, Jan. 15, 1823, *Correspondence relative to the Prohibition against the Admission of Free Persons of Colour Into Certain Ports of the United States, 1823 to 1851* (n.d.), 2. This is a printed compilation (192 pp.) of documents which for purposes of brevity will be referred to hereafter as *Cor. rel.* Apparently it was not made public. The only copy which I have seen is in the Public Record Office, London, where it is part of Vol. 579 in Ser. 5 of the Foreign Office Papers. The documents therein have been collated with the manuscript originals in other volumes sufficiently to determine that they were faithfully compiled and edited. Of great help in searching for other documents was Charles O. Paullin and Frederic L. Paxson, *Guide to Materials in London Archives for the History of the United States since 1783* (Washington, 1914).

<sup>7</sup> Feb. 15, 1823, Archives of the Department of State (referred to hereafter as D. S.). Notes from Great Britain, XII. The pages are not numbered.

<sup>8</sup> Adams to Canning, *Cor. rel.*, 4.

communicated regarding the situation with at least two of the South Carolina delegation in Congress, Joel R. Poinsett and James Hamilton. From Poinsett, at least, he seems to have thought he received a reply sufficiently satisfactory to warrant the assurance he gave to Canning.<sup>9</sup> Probably he expected that the law would not be enforced. At any rate, for some months during 1823 state authorities showed no disposition to enforce it.<sup>10</sup>

In August, however, as a result of the activities of the South Carolina Association, an organization which had been formed for the purpose of securing the enforcement of the black code, Henry Elkison, a free Negro and a British subject, was taken by the sheriff from his ship in Charleston harbor and lodged in prison. Thereupon, the British consul conferred with Judge William Johnson, a member of the United States Supreme Court sitting as a judge of the Circuit Court in Charleston. He presented a copy of Adams' letter of June 17 and said that he considered this a pledge which Johnson's court was obligated to redeem. Johnson was quite sympathetic, and the case of Elkison was brought before him in the form of a petition for a writ of *habeas corpus* or, if that should be refused, a writ *de homine replegiando*. It was significant of the attitude of the state authorities that it was not the attorney general of the state, but attorneys for the South Carolina Association, I. E. Holmes and B. F. Hunt, who appeared in defense of the South Carolina law.<sup>11</sup>

In opposition to the granting of the writ, Hunt argued that the act was not in conflict with the law of nations, the

<sup>9</sup>D. S., Notes from G. B., XV, following Vaughan to Van Buren, Dec. 26, 1830, is a brief note: "Of the means referred to above [in Adams to Canning, June 17, 1823] no trace is found in the correspondence of the Dept." On Aug. 7, 1823, Judge William Johnson stated that Adams' assurance to Canning was based on a conversation participated in by Poinsett and Hamilton. B. F. Hunt said that Hamilton told him that when Adams communicated Canning's note to him and Poinsett, he (Hamilton) characterized its language as "objectionable and not sufficiently respectful when applied to the proceedings of an *Independent State*," and said nothing to warrant Adams' promise that the arrests would not be repeated. Hunt knew nothing regarding Poinsett's statement to Adams. See n. 12, *infra*.

<sup>10</sup>Pamphlet in the Charleston Library: *The Opinion of the Hon. William Johnson, delivered on the 7th August, 1823, in the case of the arrest of the British Seamen under the 3d section of the State Act, entitled, "An Act for the better Regulation of Free Negroes and Persons of Colour, and for other purposes," passed in December last. Ex parte Henry Elkison, A Subject of his Britannic Majesty vs. Francis G. Deliesseline, Sheriff of Charleston District* (Charleston, 1823). Reprinted in *Niles' Register*, XXV (1823), 12-16; *House Repts.*, 27 Cong., 3 Sess., No. 80, pp. 27-34; *Boston Atlas*, Dec. 2, 1842.

<sup>11</sup>*Ibid.*

Constitution of the United States, or the Commercial Convention of 1815 with Great Britain. He declared that it was the right of any sovereign state to prohibit the entry of foreigners, and that this implied the right to prescribe the terms upon which those who were admitted might remain. All that South Carolina had done, he explained, was "to require free persons of colour . . . to take up their abode in a very airy and healthy part of the city, until the vessel" in which they had arrived was "ready to depart." He defended the law as "a mere police regulation," in the nature of a quarantine law. And such laws, he asserted, "are founded upon the right of self preservation, and it is quite immaterial whether destruction is threatened by disease or bloodshed." He declared that South Carolina was a sovereign state prior to and at the time she entered into the Federal compact, and that, as such, her right to enact laws with regard to her slave population and the inalienable right of self-preservation was one which she had not surrendered to the Federal government. He argued that the law was not in conflict with the Convention of 1815 because its provision for a liberty of trade was made subject to the laws of the two countries respectively. Even if the South Carolina law did conflict with the Convention, he contended, his state was not bound by the latter, because the treaty-making power of the United States was limited by other provisions of the Constitution and could not be used to impair rights which had been reserved to the states.

On the question of jurisdiction, Hunt denied that Judge Johnson was competent to issue either a writ of *habeas corpus* or one *de homine replegiando*. This was not a civil suit, he explained, and by the Judiciary Act of 1789 the jurisdiction of the United States Circuit Court extended only to cases of a civil nature, except for such offenses as were cognizable under the authority of the United States; hence, the former writ could not be issued. As for the latter writ, it was a civil remedy, he said, inapplicable in Elkison's case because the Eleventh Amendment to the Constitution prohibited suit against the state, and the sheriff, who had acted only as an agent of the state, was in no wise personally responsible for his acts in that capacity.<sup>12</sup>

<sup>12</sup> Pamphlet in the library of the College of Charleston: *The Argument of Benj. Faneuil Hunt, in the case of the Person claiming to be a British Seaman, under the 3d section of the State Act of Dec. 1822, in relation to Negroes, etc. before the Hon. Judge Johnson, Circuit Judge of the United States, for the 6th Circuit* (1823).



On August 7, 1823, before hundreds who filled the courtroom, Judge Johnson delivered his opinion. He held the South Carolina act to be in violation of the paramount and exclusive right of the United States to regulate commerce, and of the "reciprocal liberty of commerce" stipulated in the Commercial Convention of 1815. To the plea of necessity, of which Hunt had argued the state alone was to be the judge, he replied: "Where is this to land us? Is it not asserting the right in each state to throw off the federal Constitution at its will and pleasure? If it can be done as to any particular article, it may be done as to all; and like the old confederation the union becomes a mere rope of sand." The act, he decided, was "unconstitutional and void," and every arrest under it subjected "the parties making it to an action of trespass." This was an *obiter dictum*, however. When he considered the problem of relief for Elkison, Johnson found that the Judiciary Act did not authorize him to issue a writ of *habeas corpus*. Recourse would have to be had to the judicial authority of the state for that. As for a writ *de homine replegiando*, he thought it could not avail against the sheriff.<sup>13</sup>

Johnson's decision aroused much excitement in Charleston. Local newspapers were reluctant to give publicity to the case and refused to print the opinion. Nevertheless, it was published in pamphlet form; and heated arguments upon it soon appeared in the local press. The Judge, a native Charlestonian, was bitterly condemned for going out of his way to strike at South Carolina and the South's institutions. He felt compelled to answer publicly the "misrepresentations" and the "persevering malice" of his "pursuers." Resentment was also expressed against Great Britain for having sown "tares of discontent in the South" and widened the breach between the sections. The South Carolina Association profited from the emotionalism and greatly increased its membership.<sup>14</sup> Even in Washington the decision had its reverberations. At the dinner table of General Dearborn, so John Quincy Adams reported, Senator Robert Y. Hayne of South Carolina showed "so much excitement & temper" when it was

<sup>13</sup> *The Opinion of Hon. William Johnson . . .*. See n. 10, *supra*.

<sup>14</sup> See Charleston papers for August and September, 1823; especially "Carolinensis" in the *Mercury*, Aug. 15-Sept. 11, *passim*; William Johnson to the editor, *ibid.*, Aug. 21; "Philominus" in *ibid.*, Aug. 27-Sept. 19, *passim*; and "Zeno" in the *Courier*, Sept. 3, 5, 16.

discussed "that it became painful and necessary to change the topic."<sup>15</sup>

As for Elkison, no further attempt was made to use him as a means of securing an annulment of the South Carolina law, and he soon departed into obscurity. Johnson's decision that the act was null and void was disregarded. Negro seamen continued to spend in jail the days their ships remained in Charleston. Johnson felt himself powerless, and complained bitterly that he was obliged to see the Constitution "trampled on" by men whom he believed to be "as much influenced by the Pleasure of bringing its Functionaries into contempt by exposing their impotence as by any other consideration whatever."<sup>16</sup>

Nor were the British authorities by any means satisfied. H. U. Addington, chargé d'affaires, promptly reminded Adams of his promise of the preceding June, and requested him to take "immediate measures . . . for securing to British subjects in future a full and effectual protection against a recurrence of acts so unjustifiable, and so totally at variance with the . . . Convention of 1815" and "the friendly relations existing between the two countries."<sup>17</sup> The Secretary of State was embarrassed and explained verbally to Addington that under the federal form of government indirect measures were at times "preferable to and more efficacious than direct and official interference." He said that citizens of the United States who had suffered greatly under the law complained bitterly against it, and it was improbable that South Carolina would refuse to grant them relief. He promised, however, that if the state should persist "in enforcing the provisions of the statute, it would then remain for the Supreme Government to attack them with the arms of authority." The British chargé was so impressed with the truth of what Adams said and with his evidently sincere desire to do everything he could to remedy the situation, that he was reluctant to press the matter, especially as it was reported to him that several British seamen had been released from jail without being compelled to pay the costs required by the law.<sup>18</sup> Adams

<sup>15</sup> John Quincy Adams, *Memoirs* (Philadelphia, 1874-1877), VI, 176.

<sup>16</sup> Johnson to Adams, July 3, 1824, D.S., Miscellaneous Letters.

<sup>17</sup> Addington to Adams, *Cor. rel.*, 5.

<sup>18</sup> Addington to George Canning, Nov. 1, 1823, *ibid.*, 5-6. The quoted words are Addington's.

also was not disposed to force the issue, and when he learned that Elkison had been released he was content to drop the matter.<sup>19</sup>

Even the South Carolina legislature was willing to make some concessions. On December 20, 1823, it abolished the provision for the enslavement of free Negro seamen in the event that they should not be carried away on their ships; instead it required that they leave the state, under penalty of whipping if they should return. It exempted free Negroes on war vessels of the United States or of foreign powers from imprisonment unless they should be found on shore after having been warned to remain on board.<sup>20</sup>

These modifications were of little or no practical importance, however, and the imprisonment of seamen continued. Within a few weeks another case involving British subjects was brought to the attention of the authorities. Four seamen from the *Marmion* were jailed in Charleston, and the captain was compelled to pay the expenses of their detention. Upon returning to Liverpool he complained to the Board of Trade that no country should "ever be permitted to treat any of the subjects of Great Britain so hostilely, without the interference of Government."<sup>21</sup> The president of the Board transmitted the complaint to the Foreign Office with the indignant comment: "These Yankees may kidnap one another, but they must not kidnap British subjects in violation of the law of nations."<sup>22</sup> This, in turn, was forwarded to Addington in Washington with instructions to make demands upon the United States.<sup>23</sup> And so, though the chargé took pains to explain to his government the difficulties which the United States faced,<sup>24</sup> Adams received from him another note. More forcibly than before, the British now demanded "redress and reparation" and the repeal of the "obnoxious law," or at least its modification so that it would "no longer operate to the detriment of nations trading to the United States on the faith of conventions, of which it is a direct and unqualified violation."<sup>25</sup>

<sup>19</sup> Adams, *Memoirs*, VI, 279.

<sup>20</sup> *Acts . . . of the State of South Carolina . . . 1823* (Columbia, 1824), 59-63.

<sup>21</sup> Peter Petree to William Huskisson, Jan. 20, 1824, *Cor. rel.*, 7.

<sup>22</sup> Huskisson to Planta, Feb. 4, 1824, *ibid.*, 6.

<sup>23</sup> George Canning to Addington, Feb. 7, 1824, *ibid.*, 7.

<sup>24</sup> Addington to George Canning, Apr. 4, 1824, *ibid.*, 8.

<sup>25</sup> Addington to Adams, Apr. 9, 1824, D.S., Notes from G. B., XIII.

Adams conferred with President Monroe and, at his request, he sought the opinion of William Wirt, the attorney general. Wirt advised that the act was void, being in conflict with the commerce clause of the Constitution, and with laws and treaties of the United States, "and incompatible with the rights" of friendly nations. The President seems to have decided to bring the constitutionality of the law before the Supreme Court. An opportunity to do this arose when an American captain protested that one of his seamen, John Gardiner, was in the Charleston jail. Adams instructed the United States District Attorney in Charleston, himself a member of the South Carolina Association, to take measures to secure the immediate release of Gardiner. The letter closed with an approach to a threat when it stated that the President earnestly desired that the constitutional authority of the laws of the United States "be rendered effective by resort to judicial tribunals only." Gardiner's discharge from prison and his departure from the state before the arrival of these instructions, however, prevented the carrying of his particular case to the courts.<sup>26</sup> No further attempt to secure judicial settlement of the question was made at this time.

Another course of action was undertaken after Addington spoke again to the Secretary of State. By direction of the President, Adams sent to the governor of South Carolina, John L. Wilson, copies of his correspondence with the British authorities and Wirt's opinion, and expressed to him the hope that the state's legislature would remedy the "inconveniences" against which the British had protested.<sup>27</sup> With naïve faith in the reasonableness of South Carolina's legislators, Adams assured the British chargé of his expectation that they would act so as to remove "all grounds of complaint."<sup>28</sup> And Addington, appreciating the difficulties of the situation, again decided not to press the complaint.<sup>29</sup>

There the matter rested for some months, until, on November 25, 1824, the governor referred the correspondence to

<sup>26</sup> Adams, *Memoirs*, VI, 295, 307, 376; Adams to Wirt, Apr. 21, to Gadsden, May 1, 1824, D.S., Domestic Letters, XX, 352, 362; Gadsden to Adams, May 13, 1824, D.S., Miscellaneous Letters; Wirt to Adams (his opinion on the S. C. act), May 8, 1824, *House Repts.*, 27 Cong., 3 Sess., No. 80.

<sup>27</sup> Adams to the Governor of S. C., July 6, 1824, D.S., Domestic Letters, XX, 405.

<sup>28</sup> Adams to Addington, July 19, 1824, *Cor. rel.*, 11.

<sup>29</sup> Addington to Adams, July 12, to George Canning, Aug. 2, 1824., *ibid.*, 9.

the state Senate. In a relatively moderately worded message he expressed his opinion:

South Carolina has the right to interdict the entrance of such persons into her ports, whose organization of mind, habits, and associations, render them peculiarly calculated to disturb the peace and tranquility of the State, in the same manner as she can prohibit those afflicted with infectious diseases, to touch her shores. The law of self-preservation derives its authority from a higher source than any municipal law. . . . This necessity of self-preservation is alone to be determined by the power to be preserved.<sup>30</sup>

A few days later, in a more spirited message, he criticized the President and the Attorney General for their support of the protests of a foreign ministry. In language which was to become increasingly familiar to South Carolinians, and lead eventually to the battlefield, he urged the preservation of the state's "sovereignty and independence," and declared that if "an appeal to . . . the right of self-government be disregarded . . . there would be more glory in forming a rampart with our bodies . . . than to be the victims of a successful rebellion, or the slaves of a great consolidated Government."<sup>31</sup>

In the legislature the matter was warmly debated, with considerable manifestation of hostility to Wirt and to Adams, now president-elect, for their failure to champion South Carolina's law. By a vote of thirty-six to six the senate adopted resolutions declaring that the state's duty of guarding against slave insurrections arose from the right of self-preservation, was "paramount to all Laws, all Treaties, all Constitutions," and would never "be renounced, compromised, controlled, or participated with any Power whatever." The house refused to concur in the senate's resolutions, and passed much more moderately worded ones asserting the law to be a measure of "domestic police absolutely necessary to insure the safety of the citizen." The legislature adjourned before the two houses could reach an agreement.<sup>32</sup> But South Carolina,

<sup>30</sup> *Southern Patriot* (Charleston), Dec. 7, 1824.

<sup>31</sup> *Charleston Courier*, Dec. 7, 1824. The occasion for this was his transmittal to the legislature of Georgia's proposal to amend the United States Constitution so as to prevent a construction of it which would "authorize the importation or ingress of any person of color into any one of the United States contrary to the laws of such state." Three other slave states ratified this proposed amendment. H. V. Ames, *Proposed Amendments to the Constitution of the United States* . . . (Am. Hist. Assn., *Annual Report*, 1896, II), 210.

<sup>32</sup> *Southern Patriot* (Charleston), Dec. 13, 14, 15, 21, 1824; *Charleston Courier*, Dec. 9, 16, 22, 1824. The resolutions are conveniently printed, with a concise explanation, in H. V. Ames, *State Documents on Federal Relations* (Philadelphia, 1906), 206-208.

nevertheless, had thus definitely rejected the request of the Federal government that she modify her law regarding Negro seamen.

What Adams thought of the situation is recorded in his diary. When told that one of South Carolina's senators wanted him to put into his first message to Congress something conciliatory to the South, he replied that the South Carolina legislature had made it impossible for him to do this. It had persisted in a law which a judge of the Supreme Court, himself a South Carolinian, had declared to be a violation of the Constitution, and which the Attorney General had declared to be an infringement of the rights of foreign nations. Against this law the British government had repeatedly remonstrated. The United States had promised that the cause of complaint would be removed, but the obstinacy of the South Carolina legislature had made it impossible to fulfill this promise.<sup>33</sup>

With some disappointment Addington reported to the Foreign Office the action of the South Carolina legislature. He expressed the hope, however, that the law would soon be brought before the Supreme Court by citizens of the United States, and advised that it would be wise for Great Britain to await this possible solution of the difficulty.<sup>34</sup> Apparently the British government realized that at this time further protest to the United States would be useless, and for six years South Carolina's treatment of free Negro seamen occasioned no further controversy. Enforcement of the law seems to have been intermittent.

It was Georgia's action, rather than South Carolina's, which next compelled the British ministry to give consideration to the plight of some of His Majesty's humble subjects. In 1829 the legislature of Georgia ordered that vessels coming into ports of the state with free Negroes on board, either as employees or as passengers, be subjected to quarantine for forty days. Any free Negro who should come ashore during this period or have any communication with Georgia Negroes, was to be imprisoned until his vessel was ready to sail.<sup>35</sup> Municipal authorities were authorized to provide for

<sup>33</sup> Adams, *Memoirs*, VII, 57.

<sup>34</sup> Addington to George Canning, Jan. 2, 1825, with enclosures, *Cor. rel.*, 11-17.

<sup>35</sup> *Acts . . . of the State of Georgia . . . 1829* (Milledgeville, 1830), 168-171. An act of 1826 had required that colored seamen remain on board their vessels between the hours of 6 P.M. and 5 A.M. *Ibid.*, 1826, 162.

the local application of this law; and Savannah made it somewhat less oppressive by providing that a ship could be released from quarantine if its free Negroes were placed in prison and bond given to pay their expenses and take them away.<sup>36</sup>

When the British Foreign Office was informed of Georgia's action it sought legal opinion as to whether or not the law was a "perversion of the laws of quarantine" and a violation of treaties between Great Britain and the United States. The solicitor of the Board of Trade advised that it seemed to be a justifiable police regulation, applicable to all ships, and was not in violation of International Law or the Commercial Convention of 1815. The general freedom of commerce guaranteed in this convention, he pointed out, was qualified by the phrase, "subject always to the laws and statutes of the two countries respectively." Accordingly, restrictions could be made, provided they applied "equally on the commerce of each of the contracting parties."<sup>37</sup> The Georgia law did this. So also did South Carolina's.

The British government was embarrassed by this qualifying phrase. Sir Robert Peel, when questioned in Parliament, characterized the law as "one of the most extraordinary enactments by any legislature he had ever seen or heard of"; but, nevertheless he was compelled to admit that as a "friendly power" Great Britain had no right to interfere with such an internal regulation. The most he could hope for at this time was that Georgia would "consent to revise" her law.<sup>38</sup> A number of cases involving the enforcement of Negro seamen acts arose later; and legal advisers of the Crown consistently reported that "however unjustifiable" the Negro seamen legislation might be, Great Britain "had no right to demand its supersession under the treaty, nor to seek for compensation

<sup>36</sup> Feb. 25, 1830, *Cor. rel.*, 43-44.

<sup>37</sup> Douglas to the Clerk of the Council in Waiting, Feb. 20, Stephens to Lack, Mar. 16, 1830, *Cor. rel.*, 20-22.

<sup>38</sup> Hansard, *Parliamentary Debates*, Ser. 2, XXII, 799, XXV, 181-182 (Feb. 22, June 10, 1830). The enforcement of Georgia's law occasioned no difficulties for the diplomats. The British consul in Savannah was quite sympathetically inclined towards the Georgians. He believed the situation was such that "the introduction of persons of colour, without any security for their good conduct would be attended with much danger." He refused to interpose for the release of British seamen who were imprisoned, holding that the law was well known and those who knowingly violated it should suffer. E. Molyneux to Vaughan, Mar. 3, to Palmerston, July 1, 1835, *Cor. rel.*, 42-43.

for the injuries which might be inflicted upon" her subjects by its enforcement.<sup>39</sup> On eight subsequent occasions the British made written protests to the Federal government against these state laws. Some were couched in vigorous language; in some, despite the legal opinions which the Foreign Office had received, an appeal to the Convention of 1815 was made. But the qualifying phrase in that document was a weakness in Britain's diplomatic armor; it handicapped her in the intermittent contest which for years she carried on with American secretaries of state.

Within a few months after Peel's confession of impotence in Parliament, an incident occurred in South Carolina which caused the British to bring the question of the Negro seamen acts again to the attention of the government of the United States. In 1830 the discovery that an incendiary pamphlet was being circulated among the slaves resulted in a rigorous enforcement of the law regarding Negro seamen. In November a British subject, Daniel Fraser, employed as a cook on a vessel from Liverpool, was jailed in Charleston. The British consul, William Ogilby, knew of the excitement which the Elkison case had created in 1823-24 and understood the sensitiveness of South Carolinians on what they considered outside interference with the rights of their state. He thought that "it would be extremely impolitic and unwise to agitate" the question of the Negro seamen act if it could "possibly be avoided." But because of the fact that American ports had recently been reopened to British West Indian trade and, consequently, it was to be expected that many free Negro seamen would arrive in Charleston, he reluctantly presented Fraser's case to C. R. Vaughan, the British minister in Washington, and asked for instructions as to the policy which he should pursue.<sup>40</sup> Vaughan, also, with South Carolina's quarrel with the Federal government regarding the tariff in mind, was reluctant to make an issue with the United States, and directed the consul to seek to persuade the local authorities to release the Negro cook.<sup>41</sup>

<sup>39</sup> Statement of the foreign secretary, the Earl of Clarendon, in the House of Lords, June 14, 1853, Hansard, *op. cit.*, Ser. 3, CXXXVIII, 141-142. The Law Officers' reports, here summarized by Clarendon, were not available for this study when other documents in the Public Record Office were examined.

<sup>40</sup> Ogilby to Vaughan, Nov. 29, 1830, *Cor. rel.*, 23.

<sup>41</sup> Vaughan to Ogilby, Dec. 8, 1830, to Palmerston, Jan. 4, 1831, *ibid.*, 22-23, 24.



But when Ogilby reported that his appeal to the sheriff for Fraser's release had failed,<sup>42</sup> the British minister presented a remonstrance to Martin Van Buren, secretary of state. In conciliatory language he called attention to Wirt's opinion in 1824 and requested that measures be taken to insure the observance of treaties and conventions between Great Britain and the United States.<sup>43</sup> Before Van Buren had had time to act, however, Fraser, after payment of the costs of his imprisonment, was placed on board his ship.<sup>44</sup> Lest Van Buren think that this satisfied the British, Vaughan took pains to inform him that his government desired not so much redress for an injury to an individual as an assurance that the South Carolina act "would not in future counteract the stipulations in the treaties and conventions" regulating the intercourse of British subjects with the United States.<sup>45</sup>

President Jackson referred the matter to his attorney general, J. M. Berrien, who advised that South Carolina's law was a necessary measure of internal police, not in conflict with the Constitution or in violation of the convention with Great Britain.<sup>46</sup> Nevertheless, both Van Buren and Edward Livingston, who succeeded him, assured Britain's representative that the United States government would endeavor to induce South Carolina to repeal or modify the law.<sup>47</sup>

If this attempt was made, it was a failure. South Carolina was approaching nullification of the tariff laws of the United States, and she was in no mood to weaken what she considered a necessary police regulation to please either the United States or Great Britain. Instead, in 1835, the law was increased in severity. Provision for the enslavement of free Negro seamen under certain conditions was re-enacted.<sup>48</sup> The captain of each vessel was required to give heavy bond that he would pay the expenses of the imprisonment of his seamen and take them away. And somewhat in conflict with the evi-

<sup>42</sup> Ogilby to Vaughan, Dec. 17, to Sheriff C. G. Steedman, Dec. 16, Steedman to Ogilby, Dec. 16, 1830, *ibid.*, 25-26.

<sup>43</sup> Vaughan to Van Buren, Dec. 26, 1830, D.S., Notes from G. B., XV.

<sup>44</sup> Ogilby to Vaughan, Jan. 3, 1831, *Cor. rel.*, 28.

<sup>45</sup> Vaughan to Van Buren, Jan. 15, 1831, D.S., Notes from G. B., XV.

<sup>46</sup> Berrien to Jackson, Mar. 25, 1831, *House Repts.*, 27 Cong., 3 Sess., No. 80, pp. 49-58.

<sup>47</sup> Vaughan to Palmerston, Feb. 20, Bankhead to Palmerston, May 28, 1831, *Cor. rel.*, 28, 29.

<sup>48</sup> There is no record that any free Negro seaman was ever sold into slavery in South Carolina.

dent intent of this requirement, the act of bringing a free Negro employee into the state, as well as that of failing to take him away, was made an offense for which the captain of the vessel was to be punished.<sup>49</sup> The British consul thought it unwise or useless to refer cases of imprisonment again to London, and some years passed before South Carolina's law again plagued the diplomats.

Meanwhile, difficulties had arisen in North Carolina. In that state there were disturbances among the slaves, one result of which was the enactment by the legislature at its 1830-31 session, of a law quite similar to Georgia's. This imposed a thirty-day quarantine on ships which should enter the state with free Negroes on board. Negroes who might come ashore, in spite of this quarantine, were to be imprisoned.<sup>50</sup>

In October, 1831, the British schooner, *Bahamian*, from Nassau, arrived at Wilmington with two colored seamen on board. Sir Charles J. Peshall, the British vice-consul in that port, zealously determined to protect His Majesty's subjects "from oppression." He defied the law by entering the schooner at the custom-house and taking the Negroes under the protection of his dwelling. Nevertheless, Wilmington officials seized the two seamen and the captain of the vessel and lodged them in jail. Peshall was outraged; in great indignation, feeling that the "British flag had been wantonly insulted" in his person as consul, he called upon the consul-general for aid. Instead, he received from that official a reprimand for his "direct opposition to a law of North Carolina."<sup>51</sup>

To the British chargé, Charles Bankhead, he appealed with greater success. Bankhead sent to the Secretary of State a protest against the law and a request that the United States government "use its best endeavours" to secure its repeal.<sup>52</sup> The most that Livingston could do, apparently, was to order

<sup>49</sup> *Acts . . . of the State of South Carolina . . . 1835* (Columbia, 1836), 34-39. The authorities appear to have paid no attention to this last provision.

<sup>50</sup> *Acts . . . of the State of North Carolina . . . 1830-31* (Raleigh, 1831), 29-31.

<sup>51</sup> Peshall to Baker, Oct. 11, 1831, McTavish to Palmerston, Nov. 23, 1831, McTavish to Peshall, Nov. 4, 1831, Peshall to McTavish, Nov. 14, 1831, *Cor. rel.*, 31, 34, 35, 36. Cyrus Stow (harbor-master) to James Owen (collector of the port), Wilmington, Dec. 6, 1831, D.S., Miscellaneous Letters.

<sup>52</sup> Bankhead to Palmerston, Nov. 12, Peshall to Bankhead, Oct. 31, Bankhead to Livingston, Nov. 7, 1831, *Cor. rel.*, 30-32.

that an investigation be made. Before this was done, however, the captain of the *Bahamian* had been brought to trial. Unquestionably he had violated the law, on the advice of the consul, but he was acquitted when the judge stated in his charge to the jury that the act was unconstitutional.<sup>53</sup> Despite this opinion and the wishes of Wilmington merchants, the town's commissioners continued for a while to enforce the law. This was a virtual prohibition of the entry of vessels with free Negroes on board, and several from the West Indies which had been bound for Wilmington went elsewhere.<sup>54</sup>

When news of the *Bahamian* incident reached Viscount Palmerston, the British foreign secretary, he secured legal advice<sup>55</sup> and drafted instructions to Chargé Bankhead to make a strong remonstrance to the United States government, not only against the North Carolina law but as well against similar laws of other states.<sup>56</sup> In language which closely followed his instructions, Bankhead presented a note to Livingston under date of May 14. He stated that North Carolina's statute was only "ostensibly for objects of quarantine" and was considered by the British government "as a most arbitrary and oppressive measure, placing the trade between His Majesty's West Indian Possessions and the United States under restraints and restrictions which are altogether at variance with that freedom of commerce which is established by Treaties between the two countries." He asserted that this act was similar in principle to that of South Carolina which Attorney General Wirt had declared to be unconstitutional and in violation of the rights of friendly nations. He reminded the Secretary of State that he had not received a satisfactory answer to earlier protests, and that the states con-

<sup>53</sup> Livingston to Thomas P. Devereux (U. S. District Attorney at Raleigh), Nov. 9, 1831, D. S., Domestic Letters, XXIV, 260; James Owen to Devereux, Dec. 7, 1831, D.S., Miscellaneous Letters; Judge Strange's charge asserted that, though Congress had the exclusive right of regulating commerce, yet, as a state "in her own sovereign capacity, has a right growing out of an incidental power, to pass laws in self-preservation, to prevent the introduction within her limits of febrile or pestiferous contagion, so has a State an equal right to legislate to prevent the influence of a moral contagion." Nevertheless, he held the act in question to be unconstitutional because it did not achieve its purpose; it did not prohibit the landing of the dangerous free Negroes after the expiration of the thirty-day quarantine. *Cor. rel.*, 36.

<sup>54</sup> Peshall to Baker, Dec. 24, 1831, British Public Record Office, Foreign Office Papers (referred to hereafter as F. O.), Ser. 5, Vol. 234, Pages in these volumes of document are not numbered.

<sup>55</sup> Endorsement on Bankhead to Palmerston, Nov. 12, 1831, F. O. 5, 266.

<sup>56</sup> Palmerston to Bankhead, Mar. 30, 1832, F. O. 5, 271.

cerned had not "shown any disposition to repeal their obnoxious enactments." He referred to the injurious effects which the laws were producing "upon the commerce of the two countries." In conclusion, he urged the United States to adopt "the most effectual means for procuring their immediate repeal."<sup>57</sup>

In reporting on the matter to the Foreign Office, Bankhead was not hopeful of success. He believed that there was "every disposition" on the part of the Federal government "to accede to the wishes of His Majesty in regard to these obnoxious laws"; but he thought that their abrogation would be "a measure of great difficulty," because of the "notorious" weakness of the Federal executive "in its attempted interference with the sovereignty of the States," and because of the then "excited state of the black population in the West Indies."<sup>58</sup> In his pessimism, the British chargé was wise. If Livingston replied to the note of May 14, there seems to be no record of it; and certainly there resulted not even a modification of the objectionable laws. Instead, the epidemic of Negro seamen legislation spread to other states, and new incidents developed to harrass the diplomats and cause further futile protests.

In 1832 Florida declared it unlawful for any free Negro to come or be brought into the territory on pain of imprisonment. The captain of any vessel bringing in a free Negro was required to give bond to pay the expenses of his imprisonment and take him away. A free Negro coming into the territory of his own accord was to be expelled, and if he should return he was to be sold for five years to the highest bidder.<sup>59</sup>

William Forster, a free Negro from Nassau, came to Florida and was compelled to leave. Later, in 1835, he returned as a seaman on an American schooner engaged in a wrecking voyage on the coast of Florida; he was seized and sold into slavery for a period of five years.<sup>60</sup> The British

<sup>57</sup> Bankhead to Livingston, May 14, 1832, D.S., Notes from G. B., XVI (dated May 15 in *Cor. rel.*, 41-42).

<sup>58</sup> Bankhead to Palmerston, May 21, 1832, *Cor. rel.*, 41.

<sup>59</sup> *Acts of the Legislative Council of the Territory of Florida, 1832* (Tallahassee, 1832), 143.

<sup>60</sup> Baldwin to Colebrook, July 2; Colebrook to Glenelg, July 7, 1835, *Cor. rel.*, 45-46.

minister sought the interposition of the United States.<sup>61</sup> The Secretary of State replied that the matter was "beyond the reach of any power vested in the President," but that redress could be had from the courts if Forster's sale had been in violation of the law.<sup>62</sup> Such, also, was the opinion of the legal advisors of the Crown, that it could not be maintained successfully that the Florida law, "imposing temporary slavery on aliens," was contrary to International Law.<sup>63</sup> Fortunately for Forster, the person who had employed him on the fatal voyage purchased him from his master and set him free. The most that the British authorities got for their pains was the small comfort of hoping that the publicity attending the Forster incident would deter the natives of the Bahamas from endangering their liberty by going to Florida.<sup>64</sup>

Eight years passed before another case of the imprisonment of British seamen aroused the Foreign Office. In South Carolina the enforcement of the law had been accepted by seamen, captains, and the consul without protest to the diplomatic authorities. In the fall of 1843, however, the British ship *Higginson* arrived in Charleston and the Negro seamen on board were carried off to jail. This was now a routine procedure against which Consul Ogilby would not have protested but for the fact that the steward, while in prison, was ordered to work and then, when he resisted, was beaten and placed in solitary confinement in a filthy cell.<sup>65</sup> Within a few days no less than fourteen British subjects from five British vessels were in jail.<sup>66</sup> Ogilby believed that a protest to the Federal government would not be effectual, so he determined to take action which he thought had greater possibilities of success. Acting solely on his own responsibility, he went to Columbia and lobbied with the governor and members of the legislature.<sup>67</sup>

In a special message to the legislature, Governor J. H. Hammond recommended that the act of 1835 be amended to

<sup>61</sup> Vaughan to Forsyth, Aug. 9, Bankhead to Forsyth, Nov. 14, 1835, D.S., Notes from G. B., XVIII.

<sup>62</sup> Forsyth to Bankhead, Nov. 20, 1835, F. O. 5, 301.

<sup>63</sup> Palmerston to Bankhead, Feb. 20, 1836, F. O. 5, 306.

<sup>64</sup> Bankhead to Palmerston, Dec. 21, 1835, F. O. 5, 301.

<sup>65</sup> Ogilby to Aberdeen, Nov. 4, 1843, F. O. 84, 485; statement of James Simons, Nov. 29, 1843, *Cor. rel.*, 69-70.

<sup>66</sup> Ogilby to Aberdeen, Nov. 20, 1843, F. O. 84, 485.

<sup>67</sup> Ogilby to Aberdeen, Dec. 8, 1843, *ibid.*

provide for the confinement of free Negro seamen to their ships or to a restricted portion of the shore. This, he argued, would be more effective in keeping them from contact with slaves than their confinement in jail.<sup>68</sup> A bill in conformity with the governor's recommendation was introduced; it caused a spirited debate, with B. F. Hunt as its chief advocate, but it was defeated.<sup>69</sup> To meet the difficulty which the governor had mentioned as a major reason for his recommendation, the legislature directed that jails in seaport towns be altered so as to keep free Negro seamen "separate and apart" from other Negroes.<sup>70</sup>

In England news of the *Higginson* case again called the attention of the ministry to the existence of the seamen acts and caused some concern and considerable vacillation. The Earl of Aberdeen, secretary for foreign affairs, thought that the South Carolina law was not so clear a violation of the Convention of 1815 as to give to Britain "the right of insisting upon its repeal, or of demanding compensation for such of Her Majesty's subjects as have suffered under its provisions." Nevertheless, he considered the law so "inimical to friendly intercourse," so "harsh" and so "oppressive" upon a large group of British subjects, that he instructed the British minister, Richard Pakenham, to make a friendly protest to the United States. As regards the steward who had been harshly treated, he directed that Consul Ogilby take steps to secure legal redress for him, and that in the event justice should be refused, a demand be made to the United States for compensation.<sup>71</sup> But Ogilby's comments upon the situation in South Carolina and his advice that any interference by the United States would strengthen South Carolina's determination to retain the law caused Aberdeen to decide that no protest ought to be made to the United States until the results of Ogilby's lobbying with the legislature should be known.<sup>72</sup> Then, when news of the failure of the legislature to modify the law arrived, Aberdeen again directed that a protest be made to the United States.<sup>73</sup>

<sup>68</sup> Nov. 30, 1843, *Cor. rel.*, 69.

<sup>69</sup> *Charleston Courier*, Dec. 18, 1843.

<sup>70</sup> *Reports and Resolutions of the General Assembly of South Carolina . . .* 1843 (Columbia, 1844), 161-162.

<sup>71</sup> Aberdeen to Pakenham, Dec. 18, to Ogilby, Dec. 18, 1843, F. O. 84, 484, 485.

<sup>72</sup> Aberdeen to Pakenham, Jan. 10, to Ogilby, Jan. 10, 1844, *Cor. rel.*, 70, 71.

<sup>73</sup> Aberdeen to Pakenham, Jan. 24, 1844, *ibid.*, 74.

But again Ogilby's advice, based on his knowledge of the local situation, caused a change of policy. Wisely the consul stated that so jealous were South Carolinians of the rights of their state, particularly as regards the institution of slavery, that interference by the United States on the matter of the Negro seamen law "would be the strongest reason possible . . . for retaining the law on their Statute Book, and enforcing it with the utmost rigour." On the other hand there was the probability, he thought, that the legislature would modify the law at its next session. His advice was to let the matter "slumber for the present."<sup>74</sup> Pakenham decided to accept this advice and made no communication to the government of the United States. Aberdeen gave his approval.<sup>75</sup> Thus British policy, temporarily, was to refrain from taking any action which would disturb the sensitive South Carolinians, in the hope that they would repeal, or at least modify, the law in conformity with Great Britain's desires. Such possibly would have been the result had it not been for the mission of Senator Hoar.

The enforcement of the Negro seamen acts<sup>76</sup> was a grievance against which northerners as well as Britons protested. John Quincy Adams, now a venerable member of the Federal House of Representatives, took an active interest; his experiences with South Carolina's acts while secretary of state still rankled in his mind. In 1842 he drew fire from a member of the South Carolina delegation when he sponsored resolutions requesting the President to furnish documents from the Department of State relative to the Negro seamen acts. I. E. Holmes objected that the matter was one of police regulation over which the United States had no jurisdiction. Adams, he said, was "throwing a firebrand . . . which was to create a conflagration that might endanger the Republic, . . . he was calling on this union . . . to trample upon those rights which the states deemed most essential, and which they would not yield."<sup>77</sup> The House requested the documents and the

<sup>74</sup> Ogilby to Aberdeen, Feb. 5, 1844, *ibid.*, 79-80.

<sup>75</sup> Pakenham to Aberdeen, Mar. 14, Aberdeen to Pakenham, May 7, 1844, *ibid.*, 80-81, 82.

<sup>76</sup> Cuba was the cause of at least one protest. On June 4, 1838, C. C. Cambreleng presented to Congress a memorial from colored citizens of New York relative to the imprisonment of Negro seamen in that island, and asking for the interposition of Congress. *Cong. Globe*, 25 Cong., 2 Sess., 426.

<sup>77</sup> *Cong. Globe*, 27 Cong., 2 Sess., 200-201.

President submitted them.<sup>78</sup> These, with Judge Johnson's opinion, Adams publicized by having them printed in the *Boston Atlas*.<sup>79</sup>

Further publicity was received when a memorial of citizens of Boston against the Negro seamen acts was presented at the next session of Congress and referred in the House to the Committee on Commerce. The majority report of this committee, delivered on January 20, 1843, and supported by seven of the nine members, declared the acts to be in violation of the Constitution. It asserted that the police powers of the states could not justify enactments which were in "direct, positive, and permanent conflict with the express provisions or fundamental principles of the national compact." The minority report justified the acts as a necessary and constitutional exercise of the police power.<sup>80</sup> When the resolutions in the majority report were brought up for action on March 2, they were laid on the table without debate by a vote of eighty-six to fifty-nine.<sup>81</sup> Thus the House refused to express disapproval of the Negro seamen acts.

When it became apparent that Federal authorities would not undertake to protect free Negro seamen against imprisonment in southern jails, the State of Massachusetts determined to send official representatives to Charleston and New Orleans for the purpose of instituting suits and bringing the question of the constitutionality of the acts before the Supreme Court.

Samuel Hoar was sent to South Carolina. He arrived in Charleston in late November, 1844, soon after the legislature had assembled in Columbia. He sent to Governor Hammond a statement of the purposes of his mission; and this the governor transmitted to the legislature. The action of that body was prompt and decisive. It declared that Hoar had come to the state "as the emissary of a foreign Government," hostile to the state's institutions, seeking to subvert its internal police. It adopted resolutions declaring it to be an essential right of independent states "to exclude from their territories seditious

<sup>78</sup> They were printed as *House Ex. Doc.*, 27 Cong., 2 Sess., No. 119.

<sup>79</sup> Adams, *Memoirs*, XI, 271; *The Atlas*, Nov. 29, Dec. 2, 1842.

<sup>80</sup> *House Repts.*, 27 Cong., 3 Sess., No. 80. Adams sent many copies of the reports and accompanying documents to his constituents. Adams, *Memoirs*, XI, 299, 338.

<sup>81</sup> *Cong. Globe*, 27 Cong., 3 Sess., 384.



persons, or others . . . dangerous to their peace." It requested the governor to expel the agent of Massachusetts from the state. Before this could be done, however, citizens of Charleston had taken action. Mob violence was threatened. The venerable Hoar was virtually compelled to seek refuge on a vessel in the harbor and return to the North. Massachusetts denounced the action of South Carolina and called on Congress to protect her citizens, but Congress did nothing.<sup>82</sup>

Henry Hubbard was the agent of Massachusetts to bring Louisiana's Negro seamen act of 1842 before the courts. This law prohibited the entrance of free Negroes into the state either as employees or as passengers on any vessel, under penalty of imprisonment during the stay of the vessel in port. The captain was required to give bond to pay the expenses of imprisonment and take his Negroes away.<sup>83</sup> Hubbard arrived in New Orleans on the first of January, 1845, and news of his presence in the city and of his mission aroused great excitement. Threats of lynching were heard. Prominent citizens called on him; they insisted that his life was in danger; they urged him to leave. He became convinced that it would be useless for him to remain, that Louisianians would not permit the constitutionality of their law to be questioned in the courts, and he took passage on a steamer for Cincinnati.<sup>84</sup> Both he and Hoar had failed. Their missions intensified the ill feeling between North and South and strengthened the determination of southerners to retain and enforce what they considered to be vitally necessary police regulations.

The Hoar mission destroyed the hopes which Consul Ogilby had had that the South Carolina legislature would repeal or make less severe the act of 1835.<sup>85</sup> Instead, it took steps to prevent any interference with the enforcement of that law. On December 18, 1844, it imposed heavy penalties upon any person who should seek, either on his own account or on authority from any state or foreign power, "to disturb, counteract, or hinder the operation" of South Carolina's laws relative to slaves or free persons of color. On the same day

<sup>82</sup> Ames, *State Documents on Federal Relations*, 237-238; *Niles' Register*, LXVII (1844-45), 226-227, 315-317, 394-398; *Old South Leaflets*, No. 140.

<sup>83</sup> *Acts . . . of the State of Louisiana*, 1841-42 (New Orleans, 1842), 308-318.

<sup>84</sup> *Niles' Register*, LXVII (1844-45), 323, 346, 398-399.

<sup>85</sup> Ogilby to Aberdeen, Dec. 7, 1844, *Cor. rel.*, 82.

it enacted a denial of the right of *habeas corpus* to any free Negro imprisoned under the act of 1835, and empowered the governor to use the militia, if necessary, to enforce that act.<sup>86</sup>

The next occasion for diplomatic protest against the Negro seamen acts arose in North Carolina. On the last day of 1845 the *Susan King* arrived at Wilmington from St. Lucia. When the harbor master demanded its Negro seamen, in order that they might be lodged in the local jail, the master, Charles Maclean, was surprised and indignant. He determined to protect his men. He fortified the quarter deck with two six-pounder carronades, and armed the crew. He sent a letter of defiance to the town's commissioners. He placed one of his colored seamen under the British ensign and challenged the authorities to take him by force. Instead, they departed. Back in St. Lucia, Maclean boasted in the local paper of his defense of the flag; and the officer in command of that island praised him for his deed.<sup>87</sup> The matter threatened to become another diplomatic incident, but Aberdeen feared that the Convention of 1815 did not warrant any demands upon the United States.<sup>88</sup> From Washington, Pakenham advised that "it might be impolitick to make . . . a serious complaint" lest North Carolina "take the alarm" and enact legislation as severe as South Carolina's.<sup>89</sup>

Palmerston, who succeeded Aberdeen as foreign secretary in July, 1846, was more strongly inclined than his predecessor to champion the rights of Britons abroad. Some pressure was brought to bear upon him to make the Negro seamen acts an issue with the United States. The Maclean case had attracted unfavorable publicity. The British and Foreign Anti-Slavery Society had become interested. Its organ spoke in severe condemnation of the violations of the rights of British subjects.<sup>90</sup> One of its committees urged Palmerston to request the United States to secure respect for those rights.<sup>91</sup> He was not unwilling. He obtained legal advice and drafted a note which Pakenham, under date of February 24, 1847, delivered to the secretary of state, James Buchanan.

<sup>86</sup> *The Statutes at Large of South Carolina*, XI (Columbia, 1858), 292-294.

<sup>87</sup> Arthur Torrens to Charles Grey, Apr. 2, 1846, inclosing depositions of Maclean and others, *Cor. rel.*, 86-90.

<sup>88</sup> Addington to Stephen, June 15, 1846, *ibid.*, 90.

<sup>89</sup> Pakenham to Palmerston, Oct. 29, 1846, F. O. 5, 451.

<sup>90</sup> *Anti-Slavery Reporter*, May 1, June 1, 1846.

<sup>91</sup> John Scoble to Palmerston, Sept. 25, 1846, *Cor. rel.*, 91.

In this, he declared that the acts of the southern states inflicted "grievous injury and wrong" upon British subjects. He argued at some length that they were "repugnant" to the Convention of 1815, despite the phrase which qualified the liberty of commerce guaranteed therein. He expressed "the confident hope and expectation" that the United States government would accept this interpretation of the Convention and would adopt measures "to place the coloured subjects" of Britain "in the enjoyment, in the Southern States of the Union, of the same freedom from molestation which is there enjoyed by all Her Majesty's other subjects."<sup>92</sup>

Buchanan submitted this note to President Polk.<sup>93</sup> To Pakenham he gave a verbal answer. He stated calmly, definitely, and in good temper, that it was not in the power of the Federal government to meet the wishes of Great Britain. He gave warning that insistence by the British government that its Negro subjects were entitled to equal treatment with others under the Convention of 1815 would compel the United States to annul that treaty. This, he thought, would be a great calamity, but it would not be as great a one as a dissolution of the Union. He was convinced that the disunion would be a result of any serious attempt to interfere with the laws of the southern states regarding Negroes. Pakenham was not willing to believe that a "judicious" attempt to secure the object desired by the British would cause a dissolution of the Union; but he was convinced, and so informed his government, that "any attempt to interfere authoritatively for that purpose . . . would be very strenuously resisted by the

<sup>92</sup> Pakenham to Buchanan, D. S., Notes from G. B., XXIV (Draft in *Cor. rel.*, 103-104).

<sup>93</sup> An elaborate reply was drafted, but apparently it was not delivered. It stated that the question of whether the Negro seamen acts violated the Convention of 1815 or not was one which could be settled definitely, not by the President but by the Supreme Court; and it suggested that "the ordinary course of judicature" offered "the most prompt and effectual" means of testing the legality of imprisonments under the acts. Nevertheless, it argued at great length that the acts did not violate the Convention; and it asserted that the state and federal governments, accordingly, had the right "to legislate upon the subject under consideration in the manner deemed by them expedient." Finally, it asserted that it would be incompatible with that friendship which Pakenham had expressed to insist rigidly upon the "literal fulfillment of an agreement . . . when, owing to new or unforeseen causes, such fulfillment proves to be impossible without serious detriment to the welfare and security of the party affected"; and the seamen acts, it insisted, were "indispensably necessary to avert" destructive internal commotions. Unsigned draft dated Apr. 5, 1847, D. S., Notes from [*sic*] Great Britain, XXIV. A pencilled comment reads: "Not in notes to Great Britain."

Southern States, and lead to great excitement between the parties already at issue . . . on the question of slavery." He recalled the failure of the Hoar mission, and questioned "whether a similar attempt made on behalf or at the instance of a foreign Government would be attended with success."<sup>94</sup> Palmerston was impressed. He instructed Pakenham not to press the matter further.<sup>95</sup>

The British authorities, however, were not yet willing to recognize the hopelessness of their efforts to secure relief by appealing to the government of the United States. In 1839 and 1841 Alabama had enacted laws<sup>96</sup> similar to South Carolina's. An incident arising from their enforcement in Mobile brought from Great Britain its final protest to Federal authorities against the Negro seamen acts. In January, 1848, three colored subjects of Britain were taken from their ships in Mobile Bay and placed in jail. Consul Robert Grigg would have been disinclined to report the matter to his superiors but for the fact that the jailor subjected one of them, a stewardess, to highly improper and insulting proposals. To the sheriff, Grigg sent a summary demand that she be protected from her jailor's "brutal lust"; and to his superiors he forwarded information regarding the occurrence.<sup>97</sup>

The British chargé in Washington, J. F. Crampton, felt that it was hopeless to attempt to secure any change in the seamen acts by appealing to the United States. Conversation with influential members of Congress from the South had convinced him that the southern states would not tolerate any interference; nor would they even listen to suggestions from

<sup>94</sup> Pakenham to Palmerston, Mar. 29, 1847, *Cor. rel.*, 105-106. That the American government, as represented by Buchanan, was itself co-operating in the observance of the Negro seamen acts, rather than seeking to oppose them, is shown by instructions, dated Feb. 11, 1846, which the Secretary of State sent to the American consul at Kingston, Jamaica: "You must in no instance send a black or colored mariner to a port in any state, the laws of which prohibit their coming. Where the law is not absolutely prohibitory, but only . . . [requires] black & colored men to be confined during their stay, if the black or colored person give his free consent to go to such port & the Captain of the Vessel his free consent to take him, he may be sent there, with a certificate from the Consul of the U. States stating the circumstances under which he is sent." John Bassett Moore (ed.), *The Works of James Buchanan* (Philadelphia and London, 1908-11), VI, 374.

<sup>95</sup> Palmerston to Pakenham, Apr. 19, 1847, *Cor. rel.*, 112.

<sup>96</sup> *Acts . . . of the State of Alabama*, 1838-39 (Tuscaloosa, 1838), 134-136; *ibid.*, 1841 (Tuscaloosa, 1841), 11-12.

<sup>97</sup> Grigg to Palmerston, Jan. 20, 25, 1848, with enclosures, *Cor. rel.*, 112-113, 116-119.

the Federal government or a foreign power.<sup>98</sup> Nevertheless, Palmerston determined on another representation to the United States. To the American minister in London, Georg Bancroft, he protested that the proceedings at Mobile were "inconsistent with the rights" of British subjects, "at variance with the comity of international usages, and calculated seriously to affect international relations." He desired that the United States government use its influence with the states concerned to put an end to practices without "parallel in the conduct of any other civilized country." He questioned the possibility of extending commercial relations between the two countries so long as British subjects in American ports were liable to be treated "in so barbarous a manner." He closed with an earnest but friendly request that the United States "take this matter into their serious consideration." He did not mention the Convention of 1815.<sup>99</sup> Bancroft transmitted the protest to Washington without comment.<sup>100</sup>

Crampton delivered to Buchanan a remonstrance in language similar to that which Palmerston had addressed to Bancroft, and discussed with him the Negro seamen acts in general. With regret he found that the Secretary of State was even more firmly convinced than in the preceding year of "the utter hopelessness of any attempt" on the part of the Federal government to get rid of the objectionable laws. Buchanan expressed it as his sincere conviction that the admission of free Negroes into southern ports could not be obtained. And again he made the threat of an abrogation of commercial treaties if foreign powers should persist in claiming the right of their free Negro subjects under those treaties to enter southern ports on terms of equality with white seamen. The only help which Buchanan could offer was the obvious suggestion that the laws might gradually fall into disuse if captains of vessels would be prudent and see to it that cases for the application of the laws would seldom arise.<sup>101</sup>

For the time being the British government accepted defeat. When he read Crampton's report of his interview with

<sup>98</sup> Crampton to Palmerston, Feb. 9, 1848, *ibid.*, 115.

<sup>99</sup> Palmerston to Bancroft, Feb. 25, 1848, *ibid.*, 114.

<sup>100</sup> Bancroft to Buchanan, Feb. 26, 1848, D.S., Dispatches, Great Britain, LVIII.

<sup>101</sup> Crampton to Buchanan, Mar. 20, to Palmerston, Mar. 23, 1848, *Cor. rel.*, 119-121. The British chargé suspected that Buchanan's defense of the laws as politically and socially necessary resulted in part from his desire to secure southern support for his presidential ambitions.

Buchanan, Palmerston suggested to the Colonial Office that measures be taken in British North America "to warn all shipmasters and others of the consequences to which free persons of colour expose themselves by visiting the Southern States of the Union."<sup>102</sup> The suggestion was accepted and the warning was issued. When a member of Parliament questioned him about this, Palmerston defended the government. It had made repeated representations to the United States, he said, but without success. The Americans had contended that the Negro seamen acts were not a violation of the rights of British subjects under the Convention of 1815, because the reciprocal protection of traders there guaranteed was made, in the language of the Convention, "subject always to the laws and the statutes of the two countries respectively." He summed up the position of the Foreign Office including sentence: "In this clause lies the whole difficulty."<sup>103</sup>

For a quarter of a century the British government had sought to protect her free Negro subjects from imprisonment while in southern ports. It had sought to do this through the instrumentality of the Federal government. But the repeated requests, remonstrances, protests, and demands which it addressed to secretaries of state failed to secure any effective action from the government in Washington or, through it, from the states. Whatever its theoretical authority, the Federal government was without power, practically, to compel the states to repeal their laws regarding Negro seamen. It was without influence sufficient to persuade them to accede to Great Britain's wishes. In 1848 it was not willing to attempt either to compel or to persuade. Finally convinced that she could get nothing through the government of the United States, Britain turned to the states themselves. Her consuls became lobbyists and quasi-diplomats.

<sup>102</sup> Addington to Hawes, Apr. 11, 1848, *Cor. rel.*, 121.

<sup>103</sup> E. N. Buxton to Palmerston, Aug. 11, Addington to Buxton, Aug. 13, 1848, *ibid.*, 122.

# The South in the 1850's as Seen by British Consuls

By LAURA A. WHITE

In the decade 1850-1860 Great Britain maintained consulates in six southern ports: Norfolk,—changed to Richmond in 1856—Charleston, Savannah, Mobile, New Orleans and Galveston. Each consul sent as a rule only the one formal, annual report of the commerce of his port, but every year one or more of them found occasion to add various items regarding events or conditions in his locality or region. And some, notably Robert Bunch in Charleston and G. P. R. James, the well-known English novelist, in Norfolk and Richmond, frequently alluded to conversations they had had with individuals, summarized public opinion or commented on newspaper reports. Most of them found it necessary to take a long vacation during the malarial summer season and they often spent the time at one of the well-known southern resorts where they met leading men from every part of the South. Thus from their letters as a whole, one may draw a picture of many aspects of life in the South in the 1850's.<sup>1</sup>

In addition to their regular reports on commerce, there is an occasional item on economic conditions. Bunch in Charleston, telling of the publication of a *Report on the Population, Resources and Trade of North and South Carolina*, notes that the population returns of the census of 1850 were thought to be very inaccurate, especially those on the poor whites.<sup>2</sup> John MacTavish in Baltimore was impressed by the progress of Maryland agriculture, by the agricultural fairs and cattle shows and the State Agricultural Society.<sup>3</sup> Consul J. S. Bartlett, his successor, was moved to a disquisition upon the "prodigious" importance of that "extraordinary article," In-

<sup>1</sup> These reports are in manuscript in the British Record Office, London, classified under Foreign Office Records, America, United States, Ser. 2 (hereinafter cited as F. O.). See Charles O. Paullin and Frederic L. Paxson, *Guide to the Materials in London Archives for the History of the United States since 1783* (Washington, 1914).

<sup>2</sup> May 1, 1858, F. O. 5, 698.

<sup>3</sup> John MacTavish, Sept. 30, 1851, F. O. 5, 534.

dian corn. To account for its high price of eighty-two cents a bushel in 1857 he listed the following: the short crop of the preceding year; the demand for American whiskey in Europe to be "doctored" to take the place of the brandy rendered scarce by the failure of the grape; the large and increasing use of alcohol for the mechanic arts, especially for compounding the various burning fluids for domestic lighting, which were cheaper and cleaner than oil or tallow; the high price of sugar and molasses which had suspended the distillation of rum in New England and thus opened a new market for the whiskey of the South and West, made from maize; the use of this corn also for the fattening of hogs and the production of lard oil, a substitute for whale oil. The conclusion was that if corn, as well as cotton, was of such value to the civilized world, it was not safe to rely for them both solely upon the United States, and England should take steps to promote their culture in her own possessions.<sup>4</sup> James was similarly impressed by the flour made by the Richmond mills and urged its use for the English forces in China.<sup>5</sup>

At various times the consuls reported a movement in some southern city for inaugurating direct trade with Europe. James and his successor in Virginia shared the local enthusiasm, visioning the possibilities of greatly increased trade for Great Britain, but Bunch in Charleston refused to take it seriously, "in the first place, because I have no idea that such a line would be found remunerative; and, in the second, because I have no confidence in the energy of the Southern People."<sup>6</sup>

The consuls generally shared the critical and none too friendly attitude toward the United States of their English compatriots. Moreover, few if any of them relished their assignments to southern ports. They complained of the high cost of living, of the debilitating climate, with its "fever and ague" and the expensive vacations which it made necessary, and they repeatedly requested to be transferred to some other

<sup>4</sup> J. S. Bartlett, May 18, June 9, 23, 1857, F. O. 5, 677.

<sup>5</sup> See e. g., June 8, 1857, F. O. 5, 677.

<sup>6</sup> Apr. 19, 1854, F. O. 5, 601. Later he wrote that "no remedy has as yet been found for the want of enterprise and of capital." Nov. 27, 1860, F. O. 5, 745. See also G. P. R. James, Norfolk, Feb. 8, 1856, F. O. 5, 650; George Moore, Richmond, June 3, 1859, F. O. 5, 722; Jan. 31, 1860, F. O. 5, 743; MacTavish, Baltimore, Sept. 30, 1851, F. O. 5, 534; George B. Mathews, Charleston, Dec. 26, 1850, F. O. 5, 518.



post, either in the North or, more commonly, in some, indeed almost any, European country, even on a smaller salary.<sup>7</sup>

The most difficult adjustment required of the consuls was doubtless that of living in the midst of a social system of which they disapproved without any betrayal of their sentiments which would force them to a swift departure. The suppression by southerners of all discussions of slavery, wrote Consul Arthur T. Lynn from Galveston, was an acknowledgement of the unsoundness of their case but showed their uncompromising determination to maintain it.<sup>8</sup> James, on his arrival in Norfolk after a sojourn in New England, was reported to have written an anti-slavery poem some years previously, and when he proceeded at once to prosecute several cases of kidnapping of West Indian Negroes, there was a great outcry against him in the newspapers and elsewhere, and he begged to be removed from a city "where every article of first necessity, with the exception of meat, is 60 per cent dearer than in London; where the only literature is the ledger and the arts only illustrated in the slave market." His requests went unheeded and in time the persecution died down.<sup>9</sup>

James seems not to have been greatly shocked by his observation of slavery. Though he tells of a slave market in Ashland where a sale was held every week and the Negroes were often chained together, their destination usually New Orleans; or of the severe floggings administered in the Richmond "calaboose" to fugitive and refractory blacks, he considered that the Virginians were kind to their slaves and that slavery was an injury to masters rather than Negroes. One of the proprietors of the Richmond "slave warehouse" was, wrote his son Charles later, an "unmistakable Yankee," said to be very humane to his charges, "but the business was regarded as infamous. I heard a respectable man denounced for accepting his hospitality." At Niagara Falls James saw a runaway Negro belonging to one of his Norfolk neighbors: he had found it difficult to make a living and was cold and he begged the consul to ask his owner to take him back.<sup>10</sup>

<sup>7</sup> See an article by the writer, "The United States in the 1850's As Seen by British Consuls," *Mississippi Valley Historical Review*, XIX, 510-511, 514-515, 521-522 (Mar., 1933).

<sup>8</sup> July 15, 1856, F. O. 5, 651.

<sup>9</sup> James, Oct. 3, 1853, F. O. 5, 570. S. M. Ellis, *The Solitary Horseman or the Life and Adventures of G. P. R. James* (Kensington, England, 1927), 173-174, 179.

<sup>10</sup> Ellis, *Life and Adventures of G. P. R. James*, 181, 202, 204, 210.

James was, however, deeply impressed with the injurious effects of slavery upon Virginia's economic development. He wrote with enthusiasm of the great resources of the state and of the ambitions for a railroad system which was to tap the West and Northwest and make Richmond and Norfolk rivals of New York, but he soon concluded that, with all her efforts, the state could never keep pace with her northern neighbors while slavery weighed her down. Yet he confessed that he did not see how this could be remedied without bringing general ruin and confusion, save by a very slow and unforced process.<sup>11</sup>

As already stated, James had found on his arrival that one of his tasks was to attempt to put a stop to the sale in the port of Norfolk of free Negroes, British subjects, kidnapped in the West Indies. His predecessor, Consul F. Waring, had reported in 1851 that he had been informed many British colored persons had been brought into Virginia and either decoyed or forced on board one of the New Orleans slave packets.<sup>12</sup> James wrote that the "respectable inhabitants" of Norfolk were indignant but their efforts to stop the practice had proved unavailing. His own successful prosecution of several cases soon after his arrival<sup>13</sup> did not check the evil for in 1855 he wrote that it was increasing "frightfully"; that the United States District Attorney in East Virginia believed that, during the previous year, over two hundred British Negroes in the West Indies, employed there as sailors, had been kidnapped and sold in the United States. In all southern cities, James said, there were, in addition to the public jail, a multitude of what were called private jails where Negroes brought into town for sale were lodged. They were "dens of horror"; no registers were kept and it was therefore almost impossible to discover cases of kidnapping.<sup>14</sup> Three years later, however, James wrote that with the co-operation and zealous aid

<sup>11</sup> James, Norfolk, Mar. 24, 1853, F. O. 5, 570; Feb. 10, 1854, F. O. 5, 602.

<sup>12</sup> Feb. 24, 1851, F. O. 5, 534. See also Oct. 19, 1850, F. O. 84, 814. Barclay of New York also reported a case, Oct. 21, 1851. An inquiry was sent by the Foreign Office to all the consuls but apparently none but the Norfolk consul made any further reports. F. O. 84, 814.

<sup>13</sup> Ellis, *Life and Adventures of G. P. R. James*, 174.

<sup>14</sup> June 9, 18, 1855, F. O. 5, 626. In these cases of kidnapping, James wrote at another time, the agents employed to receive the Negroes and send them to the Southwest were almost invariably natives of some other state or foreigners. May 26, 1856, F. O. 84, 999.

of "all the functionaries" in Norfolk he had been able to put a stop to the system; for more than two years not a single instance had been reported to him.<sup>15</sup>

Consul George B. Mathew, after some months in Charleston, said that undoubtedly the slaves in South Carolina were treated with kindness and that their labor was very light although they had no legal protection.<sup>16</sup> Bunch, assigned to Charleston after several years in New York and Philadelphia, was more deeply stirred by his first encounter with slavery. "The frightful atrocities of slave holding must be seen to be described. . . . My next door neighbor, a lawyer of the first distinction, and a member of the *Southern Aristocracy*, told me himself that he flogged all his own negroes, men and women, when they misbehaved. . . . It is literally no more to kill a slave than to shoot a dog."<sup>17</sup> The cry of self-preservation, he said, "is always on the lips of a Carolinian when he is about to justify an outrage connected with slavery."<sup>18</sup>

Nor did years of residence in Charleston soften his judgments on this subject. Early in 1860 he reported that a young Irishman had been condemned to death for the abduction of a slave who had been found in his sleeping place, though there was no evidence that he was responsible and he was dull while the Negro was bright. Bunch sent the Foreign Office a copy of the address made by Judge Thomas J. Withers in imposing sentence—an "extraordinary document" which Bunch could account for only on the ground he had taken for years, "that the unnatural doctrines upon which slaveholders are forced to rely for support in advocating their 'Institution,' obfuscates the intellect and lowers the standard of moral sense." He added that James L. Petigru, the eminent Charleston lawyer and famed unionist, had secured a commutation of the sentence by the governor.<sup>19</sup>

From the consuls at Mobile twice during the decade there were reports regarding movements for the emigration or removal of free Negroes from Alabama. In 1851 a printed copy

<sup>15</sup> Mar. 5, 1858, F. O. 84, 1059.

<sup>16</sup> Mar. 4, 1851, F. O. 5, 535.

<sup>17</sup> Extract from a letter by Robert Bunch to J. B. Bergne, Charleston, Jan. 11, 1854, F. O. 84, 948.

<sup>18</sup> June 8, 1854, F. O. 5, 601.

<sup>19</sup> Bunch also reported a similar case in North Carolina at this time. Bunch, Charleston, Feb. 7, 1860, F. O. 5, 745. Ellis states that James, early in his consular service, intervened in the case of a Negro in Charleston, an English subject, who was charged with aiding a fugitive slave. The jury acquitted him. *Life and Adventures of G. P. R. James*, 179.

of the "Constitution of the Mobile Emigration Society" for the removal of free persons of color, of which John Gayle was president, was enclosed.<sup>20</sup> In the autumn of 1860 Consul Charles Labuzan wrote that a native Haitian of extraordinary powers had appeared in Mobile to promote the emigration of free Negroes to Haiti, stating that a vessel was ready to transport them. Considerable attention was aroused and the sheriff informed him that the laws of Alabama "did not look favorably on his embassy" and advised his speedy departure.<sup>21</sup>

One of the chief tasks for some of the southern consuls grew out of that long-standing grievance of Great Britain, the Negro seamen's acts. These laws, which provided that colored persons on board a vessel entering port were to be kept in jail until its departure, were still on the statute books of five states at the beginning of our period. In 1850 Consul William Mure of New Orleans reported frequent complaints by merchants and masters of vessels. Many colored persons had been kept in jail three or four months; there were cases of the imprisonment of shipwrecked persons; there were some instances where Negroes had been left behind by masters who did not wish to pay the heavy costs and, in all probability, reduced to slavery. In 1852 he succeeded in securing the enactment of a new law which worked to his entire satisfaction until 1859, when the legislature suddenly renewed the act of 1842 "in its worst form," and by the time new instructions came from England, the consul thought it the part of discretion to ignore them and take no formal action.<sup>22</sup>

Consul E. Molyneux of Savannah reported in 1851 that Georgia had been the least liberal to aliens of any southern state, and so bitter and frenzied was the popular feeling at the time that it would be fruitless to seek a remedy. Three years later, however, he secured the passage of a bill similar to Louisiana's act of 1852.<sup>23</sup>

In 1842 Consul William Ogilby of Charleston had reported that South Carolina's law was enforced, sometimes

<sup>20</sup> Acting Consul Malcomson, Mobile, May 28, 1851, F. O. 5, 535.

<sup>21</sup> Oct. 5, 1860, F. O. 84, 1112.

<sup>22</sup>

with serious inconvenience and great expense to the masters of the vessels,<sup>24</sup> and in 1850 the Foreign Office instructed Consul Mathew to attempt to secure repeal or amendment. Mathew set about his task with more energy than wisdom and ended in "the most hopeless mess imaginable"—so wrote Robert Bunch who, at the end of 1853, was sent to supplant him and repair the damage.<sup>25</sup> Bunch was assured that the odious law would soon be modified, but for three successive years bills were introduced in the legislature only to fail,<sup>26</sup> and it was not till 1856 that a new law was finally passed. Though it did not go so far as the new Georgia and Louisiana laws, it made more concessions than Bunch had dared to hope for and, though he carefully avoided any expression of exultation and treated it as a "spontaneous" action, the result of Carolina's own good sense, he might well be pardoned for reminding his superiors that his success had come after the State of Massachusetts, the Federal government, the United States Supreme Court, and Great Britain had battled in vain for years.<sup>27</sup>

The new law worked to Bunch's complete satisfaction as well as to that of the "respectable part of the community," as he repeatedly records,<sup>28</sup> but the ever-present danger of a return to the old restrictions required his constant vigilance and, more than once during the remainder of the decade, his successful intervention.<sup>29</sup>

<sup>24</sup> Jan. 20, 1842, F. O. 5, 383.

<sup>25</sup> Mathew, June 16, Dec. 28, 1850, F. O. 5, 518; Feb. 10, 23, 25, Nov. 20, 30, 1851; J. L. Petigru to Mathew, Mar. 26, 1851, F. O. 5, 535; Mar. 18, 1853, F. O. 5, 570; Bunch, Jan. 11, 1854, F. O. 84, 948. Mathew wrote that in twelve months, 1850-51, "upwards of twenty" British subjects were imprisoned. Feb. 23, 1851.

<sup>26</sup> Bunch, Nov. 29, Dec. 22, 29, 1853, F. O. 5, 570; Nov. 28, Dec. 22, 28, 1854, F. O. 5, 601; Feb. 21, Apr. 13, June 30, Nov. 28, Dec. 21, 1855, F. O. 5, 626.

<sup>27</sup> Bunch, Nov. 29, Dec. 19, 26, 1856, F. O. 5, 649; Jan. 1, 1857, F. O. 5, 677.

<sup>28</sup> Apr. 3, 1857, F. O. 5, 677; Jan. 1, Dec. 28, 1858, F. O. 5, 698. At the end of 1859 Bunch wrote that during the two years and eleven months since the change in the law, 158 colored seamen had entered the port and not one had been imprisoned. Nov. 28, 1859, F. O. 5, 720.

<sup>29</sup> Bunch attributed this to the desire to do something disagreeable to the free states: "they always protest their good will to England." Dec. 28, 1858, F. O. 5, 698.

In the excitement following Harper's Ferry there was grave danger of repeal which was prevented only by Read's skillful handling of the question, especially in keeping "the publick attention away from the subject." At his suggestion Bunch "quietly" got some of his friends to secure a memorial from leading Charleston merchants signifying their satisfaction with the existing law. Bunch, Nov. 28, Dec. 28, 1859, F. O. 5, 720.

In Alabama the Negro seamen's law was apparently not enforced. W. G. Nicolas, Mobile, July 26, 1850, F. O. 5, 518; Bunch, Charleston, Apr. 13, 1855, F. O. 5, 626.

In Texas the act of 1840 seems to have given the consul no trouble. Arthur T. Lynn, Galveston, Sept., 1856, to Jan., 1857, F. O. 5, 651, 679.

The grave anxiety of the consuls in southern ports over the expansionist and filibustering projects of the 1850's has been described elsewhere.<sup>30</sup> Even more shocked were their reports in the latter part of the decade on the revival of the African slave trade. In 1856<sup>31</sup> Consul Mure reported from New Orleans that the slave traders of the United States seldom if ever resorted to that port.<sup>32</sup> James expressed the same belief regarding Virginia and the neighboring states<sup>33</sup> but Consul Henry G. Kuper of Baltimore gave assurance that the slave trade was being extensively carried on by many American citizens, especially in New York and some of the southern states, with the connivance of the Spanish authorities in Cuba where most of the cargoes were conveyed; and succeeding letters describe the trial of a slave trader in Baltimore, a trial, it was said, which the newspapers did not report.<sup>34</sup> It was in this year, 1856, that the United States House of Representatives recognized the problem by resolutions in condemnation of the proposal, and in December of that year South Carolinians were startled when Governor J. H. Adams put himself at the head of the little party of "slave traders." Bunch "positively" affirmed that the feeling of the state was against them,<sup>35</sup> and echoed the argument that they were injuring the cause of the South: the secret of the South's power had been its unity, but this proposal to revive the slave trade had thrown a firebrand among the slaveholders and divided them hopelessly.<sup>36</sup> Yet as the agitation continued, Bunch came to admit that though it was "highwayman's logic," the advocates did have a certain argument, in fact that the economic situation made such a demand probably inevitable. He described the remarkable rise in the price of Negroes—nearly one hundred per cent over ten years before. Till recently the highest price paid for an able bodied man had been about \$800; now he could easily bring \$1,500, some even \$2,000; a sound

<sup>30</sup> White, "The United States in the 1850's," *Miss. Valley Hist. Rev.*, XIX, 528 ff.

<sup>31</sup> There were a few references to the subject earlier. Bunch, Dec. 28, 1854, F. O. 84, 948; James, Mar. 2, 1855, F. O. 84, 973.

<sup>32</sup> May 28, 1856, F. O. 84, 999.

<sup>33</sup> May 26, 1856, F. O. 84, 999.

<sup>34</sup> Henry G. Kuper, July 16, Sept. 17, Nov. 28, 1856, F. O. 84, 999; Bartlett, Feb. 3, 1857, F. O. 84, 1027.

<sup>35</sup> "I feel bound to add . . . that the lucubrations of Gen. Adams have been received with ridicule and contempt." Bunch, Nov. 29, 1856, F. O. 5, 649.

<sup>36</sup> Dec. 19, 1856, F. O. 84, 999.

healthy woman had risen from \$600 to \$1,200 or \$1,400. In part this was due to the general prosperity of the country, but California gold could not account for so enormous a proportionate advance in slave prices over other prices. The great increase of the cotton crop and the extraordinary impulse to exportation must render a fresh labor supply imperative. South Carolina planters were buying Negroes from the rice plantations. Moreover, during the winter of 1856-57 nearly all the slaves sold in the Charleston market had been purchased by traders from or for the Southwest,—a novel development in South Carolina, where public opinion had hitherto opposed the removal of slaves from their own neighborhood. Therefore, though opinion in the state was still opposed to the African slave trade, it was slowly changing and Bunch evidently expected that people would ultimately become reconciled to the trade as the most feasible solution to an undoubted problem. England would then be placed in a difficult position between her need for cotton and her disapproval of the slave trade, and the only remedy would be the development of production of her raw materials in other parts of the globe, where it could be separated from slavery.<sup>37</sup>

In 1858 and 1859 Bunch's prophecy seemed well on the road to fulfillment; the consuls had striking developments to report. Consul Edward W. Mark wrote from Baltimore that at any moment twenty vessels might be found under construction in that port, admirably adapted for the slave trade. Some were built expressly for the trade by "respectable houses," which would not enter the trade themselves but merely executed the orders they received. Mark believed, however, that in Baltimore little countenance was given to the trade. It was carried on rather "from New York and the eastern parts of the Union, as well as from New Orleans, and generally by New England and foreign firms."<sup>38</sup>

Mure reported from New Orleans the bill that passed the lower house of the Louisiana legislature by a vote of forty to twenty-one, authorizing a company, said to be already formed, to import 2,500 free Negroes from Africa to be apprenticed for not less than fifteen years. Modeled, according to re-

<sup>37</sup> Mar. 4, Dec. 22, 1857, F. O. 5, 677, F. O. 84, 1027.

<sup>38</sup> May 29, 1858, F. O. 84, 1059.

port, on a scheme of the French government, it meant without doubt the slave trade with a very thin disguise. Mure was sure from the expressions of indignation which he heard that the bill was favored by only a very small "ultra-Southern" party, but it was defeated in the Senate by just two votes.<sup>39</sup> During the next years Mure wrote occasionally about vessels which had cleared to or from New Orleans, but he admitted that it was useless for him to try to get information because the authorities were "not sincere" in their enforcement of the law.<sup>40</sup>

Consul Lynn of Galveston reported that the act passed by the Texas legislature in 1858 to permit free persons of African descent to select their own masters and become slaves was a scheme by which Negroes secretly imported from Africa as free persons could be legally enslaved.<sup>41</sup> In 1860 he wrote of the rumor that African Negroes had been secretly landed on the coast. The United States authorities who visited the region could get no evidence and he himself had no more success. But a planter from Louisiana had told him he was on his way to Indianola to buy African Negroes from a slave trader.<sup>42</sup>

Consul Charles Tulin in Mobile wrote in 1859 that there was much excitement over the slave trade. In March it was discovered that twenty wild African Negroes were working in the city, their utter ignorance of any language but their own indicating their recent importation.<sup>43</sup> In August he reported that a cargo of six hundred had been landed in Florida near a place called Smyrna.<sup>44</sup> In 1860 there was another rumor that Africans had been landed at some place on the Alabama River.<sup>45</sup>

Consul Molyneux of Savannah in 1858 and 1859 reported of course the well known case of the *Wanderer*, captured on the Georgia coast.<sup>46</sup> Bunch in Charleston as usual had

<sup>39</sup> Mar. 5, 1858, F. O. 84, 1059.

<sup>40</sup> Apr. 14, 1858, May 16, 1859, May 18, 1860, F. O. 84, 1059, 1086, 1112.

<sup>41</sup> Apr. 6, 1858, F. O. 84, 1059.

<sup>42</sup> June 18, Aug. 31, 1860, F. O. 84, 1112.

<sup>43</sup> Mar. 29, 1859, F. O. 84, 1086.

<sup>44</sup> Aug. 8, 1859, F. O. 84, 1086.

<sup>45</sup> July 12, Aug. 9, 1860, F. O. 84, 1112.

<sup>46</sup> According to Bunch, 101 Negroes out of 471 died on the voyage. Dec. 16, 1858, F. O. 84, 1059. Molyneux gives the figures as 80 out of about 400. Jan. 12, 1859, F. O. 84, 1086.

For Bunch's description of Captain Corrie of the *Wanderer* see White, "The United States in the 1850's," *Miss. Valley Hist. Rev.*, XIX, 525.



the most to say on the slave trade. In 1858 he told the story of a Charleston mercantile house, E. Lafitte and Company, which proposed to send the ship *Richard Cobden* of seven hundred and fifty tons, on a voyage to Africa to bring "free emigrants" to a United States port. The collector of the port appealed to United States Secretary of the Treasury Howell Cobb who pronounced the proposal illegal.<sup>47</sup> About the same time the *Lydia Gibbs*, a vessel of one hundred and fourteen tons of northern build, sailed from Charleston under one Watson, a Scotchman naturalized in the United States. He took it to Havana where it was sold to persons unknown for \$12,000, the original cost being \$7,000, and from there to Africa, still manned by Americans and doubtless under its original American papers. Watson was to receive \$6,000 whether successful or not, \$6,000 more if he escaped detection, and in addition a certain percentage of the slaves he should succeed in landing in Cuba. This, Bunch believed to be the first slave vessel which had left Charleston, that port having hitherto enjoyed an "enviable superiority" over most of the other ports of the United States in this regard. Apparently the vessel was captured, for Bunch later confessed that he had not brought the capture to the attention of the Federal authorities in Charleston; it would be useless to prosecute and would only excite odium against his consulate.<sup>48</sup>

Shortly after came the well-known capture by the Federal authorities, of the slave ship *Echo* in Charleston harbor. A grand jury at Columbia refused to find a true bill and the case went over to 1859 when the trial finally took place. The jury, Bunch reported, paid no attention to the evidence. The crew was plentifully supplied from Havana with money for their defense and their wants. The Federal district attorney said that the case would give a fresh impetus to the trade.<sup>49</sup>

Before the year was ended, the *Wanderer* was captured in Georgia and brought to South Carolina for trial,<sup>50</sup> and in January, 1859, still another ship, the *Brothers*, captured on the coast of Africa, was put on trial. The evidence in this case, Bunch wrote, was overwhelming, but in spite of

<sup>47</sup> May 31, 1858, F. O. 84, 1059.

<sup>48</sup> June 1, 1858, Jan. 12, 1859, F. O. 84, 1059, 1086.

<sup>49</sup> Dec. 13, 1858, Apr. 21, 1859, F. O. 84, 1059, 1086.

<sup>50</sup> The trial did not take place till 1860. Bunch, May 3, 1860, F. O. 84, 1112.

Judge Andrew G. Magrath's charge, the grand jury found "no bill." By these cases, he said, South Carolina, almost for the first time in her history, had violated the Constitution, had set up a "higher law" quite as much as Massachusetts on the fugitive slave act. The people of the state did not seem to realize the seriousness of their action and were rather amused at the idea of embarrassing the Federal government, "but they will wake from their delusion to find the Democratic Party broken up and the whole power of the country thrown into the hands of the 'Republicans.' When this shall happen, the days of slavery are numbered. . . . the prestige and power of slave holders will be gone, never to return."<sup>51</sup>

Although he had foreseen it, Bunch was deeply concerned over the "startling advance" made by the slave traders in a single year. The trade was rapidly coming to seem unobjectionable, even desirable, and many vessels had been fitted out in southern ports—hitherto unheard of in the whole section. He believed the majority of the southern people were still decidedly opposed, but the signs all pointed to a change. Among the causes which he now listed were the hatred for the North, the demand for fresh labor in the Southwest, the enormous profits to be made in the trade, the high price of slaves in the United States compared with that in Africa, irritation at British efforts to suppress the trade, and the conviction of many southerners that England and France were actually engaging in the trade under other names,<sup>52</sup> while seeking to keep the Americans out of it.

For a few months Bunch seems to have made no more reports, but in July, 1859, he wrote that the brig *Frances Ellen* had cleared from Charleston for Africa, supposedly to engage in the slave trade; that the firm of Ponjand and Lalas, two Spaniards, which sent it out, was believed to be regularly

<sup>51</sup> Jan. 12, 1859, F. O. 84, 1086. In discussing public opinion in South Carolina, Bunch usually distinguished between "the respectable portion of society" and the masses, but since in a democratic government the enlightened and conservative men were deprived of their natural influence he ignored them in generalizing upon the lawless majority. Bunch seems never to have recognized that South Carolina was more aristocratic than any of her sister states. Dec. 13, 16, 1858, F. O. 84, 1059. See White, "The United States in the 1850's," *Miss. Valley Hist. Rev.*, XIX, 524 ff.

<sup>52</sup> The English by their "coolie trade," the French by their "African Emigration" to French colonies. The Foreign Office in reply repudiated the charge for England and referred to negotiations under way with France, which it was hoped, would soon lead to her complete abandonment of the African Emigration scheme. Bunch, Jan. 20, 1859. Reply of Foreign Office, Feb. 11, 1859, F. O. 84, 1086.

engaged in this traffic—which formerly public opinion in the state had prevented. It was believed that the firm intended to land five or six cargoes of Negroes in Texas during the next few months and the story ran that several men had gone from Mississippi to Texas with \$60,000 in gold to pay for them.<sup>53</sup>

In December, 1859, the South Carolina legislature received from the New York assembly a set of resolutions passed by the latter body, condemning the slave trade and urging the southern states not to connive at or encourage the odious traffic. South Carolina returned the resolutions to the senders without comment and Bunch, though agreeing with the New York sentiments, dryly noted that the action was not "happily conceived," "as it is notorious that, during the present year, at least ten slavers have been fitted out in New York for one in the entire South."<sup>54</sup>

This seems to have been still more true in 1860, for the southern consuls had less to say on this subject—southern energies being devoted to political rather than to economic grievances—while the reports from New York continued to be voluminous and lengthy.<sup>55</sup> Bunch's last brief note on the subject in 1860, however, had an ominous significance. The captured brig *Bonita* was in Charleston harbor just after

<sup>53</sup> Consul Archibald of New York sent in the same story, July 27, 1859, F. O. 84, 1086. Bunch, July 27, 28, 1859, F. O. 84, 1086. See below, n. 68.

<sup>54</sup> Dec. 28, 1859, F. O. 5, 720.

<sup>55</sup> The detailed reports of Consul Archibald of New York on the slave trade throw light both on the trade in general and on that in southern ports. In 1859 he wrote that there were in the city some ten or twelve leading slave traders who devoted themselves entirely to the traffic. He believed that within eight or nine months not less than fifty or sixty vessels had been fitted for the trade from ports of the United States and Cuba, chiefly New York and Havana. July 11, 1859, F. O. 84, 1086. His list of the number of slavers under the American flag grew steadily, reaching 143 by the end of 1860. F. O. 84, 1111. But he thought that there was "no foundation, so far as the information supplied to me can be relied on, for believing that any of the Slave trading vessels cleared from the ports of the United States are actually owned in whole or in part by American citizens." They were cleared in the name of some nominal owner and regularly documented as American vessels, but were invariably sold or were under contract for transfer to foreigners. Portuguese or Spanish, at whose risk the adventure was carried on. Mar. 5, 1860, F. O. 84, 1111. This whole volume is taken up with slave trade reports from New York.

Regarding the slave trade in the South, Archibald wrote in 1859 that there were doubtless some native American interests involved, but he questioned whether, besides the *Wanderer's* more than one or two cargoes had been landed in Florida. The newspaper accounts of such arrivals he attributed to political motives. There were, however, two cargoes expected shortly in Texas and interested parties had recently gone south from New York with large sums of money to arrange for landing. This is evidently the story referred to by Bunch on July 27. See above, n. 66. Archibald to Lord Lyons, Oct. 4, 1859, F. O. 84, 1086.

the ordinance of secession was passed and its crew was released by a mob.<sup>56</sup>

Matters political were outside the province of the consuls, but at times when the sectional struggle waxed fierce some of them could not resist the temptation to volunteer their observations. Mathew, arriving in South Carolina in 1850 when that state was moving rapidly toward secession, sent long reports on the situation. The people, he said, carried their hatred of the North and the Federal government "to a point which is the acme of absurdity." He noted as a "curious feature" of the movement that "the clergy and the female sex are the most zealous promoters." He commented on the significance of the census of 1850 by which South Carolina and other states of the older South would lose representation in Congress; they had good reason to fear the effect of another ten years on "their institutions" and their free trade interests. "And I for one entertain no doubt that the result of the census of 1860, must be the abolition of slavery, or the dissolution of the Union, *probably the former*, should no previous changes have occurred."<sup>57</sup>

Bunch in 1855 reported a similar prophecy by prominent Carolinians. Explaining that their sensitiveness was due partly to the climate, partly to seeing others more prosperous and progressive than themselves, he added:

And I have heard myself at a table at which the two Senators of the United States from this State, and one of the most influential of its members of the House of Representatives, were present, the opinion given by one, and concurred in by all, that in five years from this date, either Slavery would have ceased to exist, or the Union have been dissolved.<sup>58</sup>

James in Virginia, like Mathew, emphasized that slavery was only one of many differences of interest between the North and South; indeed he held that the main question between the two was the tariff.<sup>59</sup> He took very seriously the

<sup>56</sup> Dec. 22, 1860, F. O. 84, 1112.

<sup>57</sup> June 16, Nov. 27, 1850, F. O. 5, 518; Mar. 4, Oct. 30, 1851, F. O. 5, 535.

In reporting the results of the elections to a state convention early in 1851 Mathew wrote that those opposed to separate secession were supposed to be in favor of a Southern Confederacy, "but I apprehend many of these gentlemen to be in reality 'Unionists'—and they comprise nearly the whole of the experience and talent of the Convention."

<sup>58</sup> Nov. 28, 1855, F. O. 5, 626.

<sup>59</sup> Dec. 18, 1856, F. O. 84, 999.

disunion movement of 1856, convinced that the South was "ripe" for it. One of the principal merchants of Mobile, "an even, well balanced person," told him he would prefer Fremont's election because it would bring the question to an issue at once; he thought separation inevitable and the South was better prepared in 1856 than it would be in 1860. During the campaign James was convinced of the determination of Virginians as well as other southerners to secede in case of Republican victory and considered it entirely logical from their point of view, yet the election was scarcely over when he observed that disunion sentiments, though very common in the lower South, were not generally entertained in Virginia.<sup>60</sup>

Consul Lynn in Galveston noted that "with some," disunion was thought to be involved in the election: Fremont might win, "and consequently the Slave States might have to secede in order to preserve their institutions."<sup>61</sup> Molyneux, reporting the Southern Commercial Convention in Savannah, alluded to the rabid politicians as "the ones who were anxious for a dissolution of the Union."<sup>62</sup>

The disunion movement of 1856 had scarcely subsided with the defeat of the Republicans than southerners were stirred by the belief that plans for a slave insurrection had been discovered. Bunch wrote from Charleston that Nashville seemed to have been the proposed headquarters of the conspirators but there was no doubt that the plot embraced part of Kentucky, Louisiana, and Georgia. The report was that several whites had been arrested and many Negroes executed. It was difficult to ascertain the facts, for southern newspapers avoided any reference to the affair while northern accounts must be received with caution, but Bunch affirmed from private accounts from Nashville that the greatest alarm and excitement prevailed throughout Tennessee.<sup>63</sup>

James in Richmond wrote at the same time that it was a

<sup>60</sup> Feb. 8, June 16, Aug. 30, Sept. 18, Nov. 15, 29, 1856, F. O. 5, 650. See White, "The United States in the 1850's," *Miss. Valley Hist. Rev.*, XIX, 533-534.

<sup>61</sup> July 15, 1856, F. O. 5, 651.

<sup>62</sup> Dec. 19, 1856, F. O. 5, 649. Compare British Chargé Lumley's statement, "Although if the language of the Press and some public men were to be believed, a dissolution of the Union is almost inevitable, I have not yet met with a single private individual who contemplates seriously the possibility of such a prospect." Sept. 29, 1856, F. O. 5, 646.

<sup>63</sup> Dec. 17, 1856, F. O. 84, 999.

general but disjointed movement, doubtless from Texas to Delaware, but scarcely deserving the name of conspiracy. There had been secret meetings in various places, collection of arms and ammunition and, in one or two instances, preparations for blowing up bridges. The wide diffusion of the scheme and the implication of whites indicated that the movement had been planned in the North. Doubtless the rumors were exaggerated, but it was certain that the plot had numerous and extensive ramifications, that a number of Negroes had been hanged and one white man whipped to death. In Virginia no cruelty had been practiced though the authorities feared an insurrection was imminent; movements had been discovered in Williamsburg, Alexandria, and Montgomery County.<sup>64</sup>

The effect upon the South of John Brown's attack upon Harper's Ferry in October, 1859, can scarcely be exaggerated. Bunch described vividly the situation in South Carolina. The feeling of uneasiness and even of terror, he wrote in November, was sadly at variance with the assertions southerners delighted in as to the fidelity and happiness of their slaves. In the upper districts of the state the alarm was taking the form of expelling people suspected of not entertaining extreme pro-slavery views.<sup>65</sup>

A month later he wrote that the agitation and rumors were increasing from day to day.

I do not exaggerate in designating the present state of affairs in the Southern country as a reign of terror. Persons are torn away from their residences and pursuits; sometimes 'tarred and feathered'; 'ridden upon rails,' or cruelly whipped; letters are opened at the Post Offices; discussion upon slavery is entirely prohibited under penalty of expulsion, with or without violence, from the country. The Northern merchants and 'Travellers' are leaving in great numbers.<sup>66</sup>

At last came the news Bunch had been dreading. A British subject working on a public building in Columbia expressed some disapproval of slavery. Told to leave, he did so, only to be followed nine miles by a vigilance committee,

<sup>64</sup> Dec. 18, 1856, F. O. 84, 999; Ellis, *Life and Adventures of G. P. R. James*, 207, says that even James's little son Charles was armed with a pistol.

<sup>65</sup> Nov. 24, 1859, F. O. 5, 720.

<sup>66</sup> Dec. 9, 1859, F. O. 5, 720. Mure also wrote from New Orleans about the effects of Harper's Ferry. Feb. 16, 1860, F. O. 5, 744.

brought back to Columbia and cruelly flogged, then tarred and feathered—all this under the eyes of the governor and the legislature,<sup>67</sup> then in session. Bunch unhappily but frankly confessed that he was taking no action, on the technical grounds that no official application had been made to him.<sup>68</sup>

When Bunch reported the disruption of the Democratic party in the Charleston Convention, he commented that this meant the election of a Republican president, a result rather to be desired than deprecated by Great Britain partly because it meant the limitation of slavery and partly because the insolence and aggressiveness of the Democratic party, if continued, meant that some time England would "be compelled to vindicate our honor by a war."<sup>69</sup> But when at the end of the year the secession movement in South Carolina reached its height Bunch was deeply impressed by the remarkable unanimity of the people, including the "most respectable classes," who in 1832 and 1852 had opposed secession, and he ended by being almost sympathetic. The South really believed, he said, that the success of the Republican party would be the first step toward the diminution of its power and the destruction of its institutions. After all, it would be an advantage to everyone to have the slavery question settled once for all. As for South Carolina, she "must either secede at all hazards, on or before the inauguration of Mr. Lincoln, or be content to have exhibited herself to the ridicule of the world and to have forfeited any claim in the future to consistency of purpose or resolution in action."<sup>70</sup>

One letter especially summed up his conclusions. "The feeling of hatred to the North which has been steadily growing ever since it became evident that the rule and power of the South were rapidly vanishing before the superior population, wealth, industry and enlightenment of the Free States, and aggravated, I am bound to own, by the hostile and insulting acts and language of the leaders of the Republican or Anti-Slavery party" seemed to have convinced Carolinians,

<sup>67</sup> When the legislature appointed Christopher G. Memminger as Commissioner to Virginia, Bunch wrote: "a lawyer of considerable eminence and a clear headed man, but one whose reputation for political honesty does not stand very high." Dec. 28, 1859, F. O. 5, 720.

<sup>68</sup> Dec. 28, 1859, F. O. 5, 720.

<sup>69</sup> May 3, 1860, F. O. 5, 745.

<sup>70</sup> Oct. 20, Nov. 13, 17, 23, 24, 29, Dec. 8, 14, 15, 1860, F. O. 5, 745.

and to a great extent all southerners, that there was no longer any safety for them in the Union. "They have no doubt exaggerated the evils to which they are likely to be exposed; but . . . I cannot avoid confessing my own belief that the Southern people are not far wrong in considering the Republican party as pledged to effect their downfall at some convenient and not far distant period." They were willing to admit that logically the election of Lincoln, being legal, was not sufficient excuse for secession, but for them it was a question not of logic but of existence.<sup>71</sup>

Molyneux in Savannah had a different story to tell about Georgia. In the first excitement over the election he thought that state would go out with South Carolina, but soon the conservative sentiment asserted itself, and he wrote: "If the non-slave holding states would promptly repeal the laws obnoxious to the South, the agitation in this state, certainly, would subside. . . . The leading men of every party consider that South Carolina has been too precipitate." In December he thought there was no longer any doubt that Georgia would secede, but again he declared that if the state laws nullifying the fugitive slave act had been repealed and compensation through a competent tribunal guaranteed to owners of slaves unlawfully detained, a rupture of the Union might have been avoided. It would have protected all the interests connected with slavery and might have been considered satisfactory by the slave states generally, which, except for South Carolina, were willing to concede much for peace and Union.<sup>72</sup>

Consul Mure, returning to New Orleans in December, 1860, after a visit in the North, confessed that he was

not prepared to find the feeling in favor of secession so strong or so general, as it is in this city, and State. Conservative views, opposed to the ultra-Southern section, have here always met with able and zealous advocates, who, until lately, at all political meetings, eloquently urged the patriotic sentiment, 'the integrity of the whole Union.' But now, even the motives of interest have given place to antipathy and hostility to the Northern and Western States, which it is difficult to account for merely in consequence of the election of a President supposed to be inimical to Southern institutions.

This sacrifice of economic interests was what most impressed Mure. He describes the decline of trade in prospect of se-

<sup>71</sup> Nov. 29, 1860, F. O. 5, 745.

<sup>72</sup> Nov. 16, 28, Dec. 13, 22, 29, 1860, F. O. 5, 744.



cession, the ruinous depreciation of property. "Over thirty factorage houses have suspended within the last fortnight whose aggregate liabilities amount to over thirty millions of dollars."

The secessionists Mure classified as follows: politicians and disappointed office seekers; the ultra-southern section, hitherto a small minority of the people; a large class of slave owners who were apprehensive of the rapid increase of northern and western population and feared that legislative action would abolish their "domestic institution." These all agreed on secession but not on the method, the more moderate opposing action by the state until after a southern convention had met.<sup>73</sup> There were a few slave owners who argued that slavery had more security in the Union than it would have outside, but they had little influence.<sup>74</sup>

Alabama's decision in favor of secession was doubtless greatly influenced by the fear of Negro insurrection which, according to the consul in Mobile, twice toward the end of 1860 stirred the people of the state. In August a runaway Negro was captured near the village of Talladega in the interior of the state, who disclosed the fact that there was an organized camp of white men and Negroes nearby. Several persons, both white and black, were apprehended on the charge of endeavoring to create a slave insurrection, and placed in jail, whence one was taken out "by some unknown persons" and hanged.

Again in December the story was told of a deep laid plot for a Negro insurrection recently discovered in Montgomery County, its ramifications believed to spread over a large area. The blacks were to rise on a certain night, murder the families they served and seize the country. Several persons who had been found guilty of inciting them had been hanged.<sup>75</sup>

The general impression which emerges from all these various reports and observations, with their unanimity on many points and their still more significant differences and in-

<sup>73</sup> This attitude was usually suspected of concealing secret opposition to secession.

<sup>74</sup> Dec. 13, 1860, F. O. 5, 744.

<sup>75</sup> Sept. 20, Dec. 22, 1860, F. O. 5, 1112. The Galveston consul seems not to have reported the rumors of slave uprisings in Texas during the campaign of 1860. See A. C. Cole, "Lincoln's Election an Immediate Menace to Slavery in the States?" *American Historical Review*, XXXVI, 763.

consistencies, is of a region and a period of great prosperity but strange uncertainties and confusions; of a society which had achieved stability and a definite social philosophy, only to face some new transition; of people uneasily conscious of forces pulling them, they knew not whither, whose vague sense of threatened danger and unstable equilibrium in time made any certainty seem a consummation devoutly to be wished.

# The Beginning of Printing in Mississippi

By CHARLES S. SYDNOR

Andrew Marschalk, who was the earliest printer in Mississippi and who, it might be added, was said to resemble Benjamin Franklin in appearance,<sup>1</sup> was born in New York of Dutch stock on February 4, 1767. His family were Patriots during the American Revolution; in his father's bakery four hundred barrels of flour were made into bread for the Revolutionary army. At the beginning of the war Andrew was a pupil in Peter Van Steenburgh's seminary in the consistory building of the Dutch Reformed Church on Garden Street, New York, but he and his fellow students actualized their patriotic feeling by hurling rocks at the statue of King George III. Before the war was over he may have become an active participant in it.<sup>2</sup> This youthful hostility to England and its rulers evidently cooled rapidly, for in the late 1780's he lived for a time in that country.<sup>3</sup>

Just as he was leaving England anti-British feeling doubtless flared up in him again. He narrowly escaped impressment into the British navy, being taken by a press gang from the American ship *Pigeon*, while it was anchored in the Thames River, to the British frigate *Enterprise*. However, with the aid of a friend he persuaded his captors to release him, and he returned to the *Pigeon* shortly before it sailed for Philadelphia where he landed in September, 1790.<sup>4</sup>

He had probably learned the printing trade in England,

<sup>1</sup> John F. H. Claiborne, *Mississippi as a Province, Territory and State* (Jackson, 1880), 376.

<sup>2</sup> Marschalk's "Reminiscence of far gone-by Times," in *Mississippi Free Trader and Natchez Weekly Gazette*, Dec. 8, 1837; inscription on Marschalk's grave in the Natchez cemetery.

<sup>3</sup> He seems to have fraternized with the English if we may trust the statement made at the time of his death in 1838 that he was "the oldest member of the Society of Odd Fellows in the United States, having joined that over which the Prince of Wales, since George the Fourth, presided in London more than fifty years ago." This quotation is from an obituary notice, clipped from the *Natchez Free Trader*, in Woodville (Miss.) *Republican*, Aug. 25, 1838.

<sup>4</sup> *Mississippi Free Trader and Natchez Weekly Gazette*, Dec. 8, 1837.

for he brought home to America a small mahogany press. However, he disposed of this the following year and for a time turned soldier.<sup>5</sup> He was commissioned in New Jersey as ensign, and during the next few years he served under St. Clair and Wayne and fought Indians in the Northwest. By October 20, 1794, he had risen to the rank of captain; but after the fighting was over and the army was reduced to a peace-time footing, he had to be content to be retained as lieutenant of artillerists and engineers, his commission being dated November 1, 1796.<sup>6</sup> This demotion may have led him to consider returning to his former trade, for he regained possession of the press he had brought from England and purchased a small font of type, about thirty pounds, before going to Walnut Hills where he was stationed parts of the years 1797 and 1798. This was a small military post located on the Mississippi River about a mile north of the present city of Vicksburg. Until 1798 it was in the extreme southwestern corner of the United States and stood guard against the Spaniards to the west across the river and to the south in the Natchez region.

In the fort at Walnut Hills Lieutenant Marschalk struck off a ballad, "The Galley Slave," which was the first printing in Mississippi.<sup>7</sup> No copy is known to remain. It is surprising that he should have printed anything at this place. The garrison of the fort was small and only a few civilians lived near it; two years later only eighty persons, men, women, children and slaves, lived there.<sup>8</sup> In view of this, it is not improbable that he did this first printing so that the people of the larger settlement at Natchez, located a short distance

<sup>5</sup> Andrew Marschalk to L. A. Besancon, Sept. 2, 1837. This letter, which is a basic source for the history of the early press in Mississippi, first appeared in an article by Besancon on "The Periodical and Newspaper Press," in the *South-Western Journal*, I, 21-22 (Natchez, 1837-38). Since Besancon was editor and part proprietor of the *Mississippi Free Trader and Natchez Weekly Gazette*, he may also have printed this letter in his paper, but I have not been able to find it in the broken file to which I have had access. However, it was incorporated in an extended article entitled "Notes on Printing and the Press in Mississippi," written by Isaac M. Patridge, editor of the *Weekly Vicksburg Whig*, and printed in the June 20, 1860, issue of this newspaper. From there Patridge's article was reprinted in *De Bow's Review*, XXIX, 500-509 (Oct. 1860). The Marschalk letter was reprinted by Douglas C. McMurtrie in his article on "Pioneer Printing in Mississippi," in *The Southern Printer*, Mar., 1932.

<sup>6</sup> Francis B. Heitman, *Historical Register and Dictionary of the United States Army* (1903), I, 690.

<sup>7</sup> Patridge, "Notes on Printing and the Press in Mississippi." See above, n. 5.

<sup>8</sup> *United States Census of 1800*, 85-86.

down the river, would know that there was a printer and a press nearby. If this was his purpose, he accomplished it; for, as he wrote many years later: "Great excitement was caused in Natchez by the knowledge of a press being in the country, and strong inducements were held out for me to remove to that place."<sup>9</sup>

Although Natchez was claimed by the United States under the terms of the Treaty of Paris of 1783, Spain did not agree to relinquish it until 1795, and the actual transfer was delayed until 1798. When the American flag then moved south, Marschalk and his press went with it.

Natchez had much to commend it to a printer seeking a place to settle. It was the river port town of a rapidly growing population which in 1800 numbered about 7,500.<sup>10</sup> The surrounding farmers and planters were beginning to prosper from raising cotton. With the genesis of political warfare, the press was needed to hurl the charges and countercharges of rival leaders.<sup>11</sup> Finally, there was the immediate necessity of getting the territorial laws printed. Indeed, the first governor, soon after his arrival in the summer of 1798, wrote to the Secretary of State that a press was so essential that, to use his own words, "I would myself contrive to manage it if we may through your goodness be indulged."<sup>12</sup> Evidently Natchez was ready for a printer.

Though Marschalk was officially on active duty when he came to Natchez in the latter part of 1798, he was in reality loaned by General James Wilkinson to Governor Winthrop Sargent to print the territorial laws. To accomplish this he soon found that it was necessary to construct a larger press. But his immediate superior, Major T. H. Cushing, thought that a soldier on active duty might as well be a tavern keeper or a tailor as a printer. Before October 13 and while Wilkinson was absent he ordered Marschalk away from Natchez.

<sup>9</sup> Marschalk to Besancon. See above, n. 5.

<sup>10</sup> *Census of 1800*, 85-86.

<sup>11</sup> See for example two vitriolic pamphlets printed in Natchez in 1808: *Correspondence between His Excellency Gov. Williams, and James W. Branham, Esq.*, etc. (printed by Marschalk); and *A Concise Sketch of the Debates and Proceedings of the House of Representatives of the Mississippi Territory*, etc., in 1808 (printed by John W. Winn & Co.).

<sup>12</sup> Gov. Winthrop Sargent to Secretary of State Timothy Pickering, Aug. 20, 1798, in Dunbar Rowland, (ed.), *Mississippi Territorial Archives* (Jackson, 1905), I, 32.

Sargent protested, but Cushing would not let him remain except on furlough.<sup>13</sup> Not knowing whether Marschalk accepted this condition, it is uncertain whether he left Natchez for the North before or after October 13, 1799. The former is rendered probable, however, by his having sold his larger press in the summer of 1799 to Benjamin M. Stokes for fifty dollars.<sup>14</sup>

After receiving his honorable discharge on June 1, 1802,<sup>15</sup> he returned from Philadelphia to Natchez. Most of the remaining thirty-six years of his life were spent there or in the village of Washington, six miles to the east. His home was in Washington at the end of his life, and there he died.<sup>16</sup> Through these years he continued to be primarily a printer though he occasionally, and sometimes with reckless vigor, launched into political life.<sup>17</sup>

This paper will not attempt to trace Marschalk's work past the end of his first residence at Natchez. His earliest Natchez imprint, probably, is a ten-page pamphlet (misnumbered eleven) entitled: *Mississippi [sic] Territory. A Law in aid of, and in addition to, the regulations of the Governor, for the permamanent [sic] establishment of the Militia of the Mississippi [sic] Territory*. This was "declared to be a law of the Mississippi Territory" February 28, 1799. When one remembers how close Natchez was at that time to the international as well as to the wilderness frontier, it seems fitting that the first product of its press should have been a militia law. The only known copy of this imprint was recently found in the Archivo General de Indias at Seville, Spain, and this discovery was reported by Mr. Douglas C. McMurtrie in *The American Book Collector* for May-June, 1933.<sup>18</sup>

The second, and so far as known the largest, Marschalk imprint of 1799 is the *Laws of the Mississippi [sic] Territory; Published at a Session of the Legislature began in the Town*

<sup>13</sup> Sargent to Major Thomas H. Cushing, July 21, 1799; Sargent to Pickering, Oct. 13, 1799, *ibid.*, I, 158-159, 179.

<sup>14</sup> Marschalk to Besancon. See above, n. 5. Also, a short article on "the origin and progress of the Press in Mississippi," written for the *Grand Gulf Advertiser* by Henry Vose and reprinted in the *Woodville Republican*, Aug. 22, 1835.

<sup>15</sup> Heitman, *U. S. Army*, I, 690.

<sup>16</sup> *Woodville Republican*, Aug. 25, 1838.

<sup>17</sup> Mack Swearingen, *The Early Life of George Poindexter* (New Orleans, 1934), 64-66, 125-132.

<sup>18</sup> A complete facsimile of this Militia Law together with an introduction by McMurtrie was published by the John Calhoun Club, Chicago, August, 1933.

of Natchez . . . upon the 22d Day of January, Anno Domini 1799 . . . and continued by Adjournments to the 25th Day of May, in the same Year. The title-page bears the imprint: "Natchez: Printed by A. Marschalk, And Sold at the Store of Messrs. Hunts & Co. 1799." It was doubtless for the purpose of printing this 209 page book that Marschalk constructed his larger press "capable of printing a fools-cap sheet. . . ." <sup>19</sup> He did not finish this task until sometime after July 21, <sup>20</sup> which is the chief reason for supposing the ten-page militia law, which had been enacted five months earlier, to have been printed first. The two known copies of the 209 page *Laws of the Mississippi Territory* are in the New York Public Library and the Massachusetts State Library. <sup>21</sup>

A third imprint of this year contained the laws enacted by the legislature in its session at Natchez which lasted from September 21 to October 25. The only known copy of this sixteen-page pamphlet, which is without a title-page, is in the Massachusetts State Library. <sup>22</sup>

Finally, there is an unbound pamphlet of fifty-three pages, preceded by a two-page introduction, of which no earlier mention has been found in print; yet it appears certain that it also was printed by Marschalk at Natchez in 1799. The title-page is missing, but at the head of the first page after the introduction the title appears as *Paine Detected*. <sup>23</sup>

Internal evidence supports, but does not entirely prove, the conclusion relative to place, date and printer. The introduction is addressed "To the Citizens of Natchez." An early date is suggested by the fact that the writer urged the Presbyterians of Natchez to build a church and because he implied that a printing office had been opened in Natchez only recently. The paper, when held before a light, shows the

<sup>19</sup> Marschalk to Besancon. See above, n. 5.

<sup>20</sup> Rowland, *Miss. Territorial Archives*, I, 158-159.

<sup>21</sup> The title-page of this volume is reproduced in McMurtrie, "Pioneer Printing in Mississippi," in *The Southern Printer*, Mar., 1932.

A third copy once existed; possibly it is still in existence. It was in the Mississippi State Library, Jackson, from which it disappeared toward the end of 1931 or the beginning of 1932.

<sup>22</sup> It is not certain that Marschalk printed this because he may have ended his first residence in Natchez before this session of the legislature. If he did not print it, the work was probably done by Benjamin M. Stokes.

<sup>23</sup> The only known copy belongs to Miss Corinne M. Henderson of Natchez, Mississippi. Her generosity in permitting me to examine this pamphlet and in permitting a photostat of it to be deposited in the Library of Congress is gratefully acknowledged.

pink tinge usually found in the products of the early press of the old Southwest; the type is similar to that of the previously known Marschalk imprints of that year; and the decorations on the first pages of both *Paine Detected* and the *Militia Law* have in common at least one unusual printers' ornament.<sup>24</sup>

External evidence goes much further toward supplying what was on the missing title-page. In the year 1858 a Mississippi Historical Society was organized. Its president, B. L. C. Wailes, of Washington, Mississippi, was both diligent and successful in searching for historical sources to be placed in the proposed archives of the society. His presidential address prepared for the November, 1859, meeting was chiefly a report of what he had found. In describing these "historical curiosities" he wrote:

Among these is a pamphlet, doubtless the first printed in Mississippi.

It purports to have been written in 1797 by a planter residing in the City of Natchez and bears the imprint of Andrew Marschalk in 1799. It is entitled "Paine detected, or the unreasonableness of Paine's age of reason" a theme scarcely to have been expected to form the first offering to the typographic muse in an infant and frontier Territory necessarily occupied if not absorbed in more material objects incident to its early development.

The composition of this little book is good, a liberal portion of it in verse, the latter a successful imitation of Milton's *Paradise lost*. Who the writer was has long been a mystery and I have only recently ascertained that the author was Mr. John Henderson a scotch gentleman who came to the Country before the change of government and engaged successfully in business in Natchez. He was the first Receiver of public monies in the District and held the office of County Treasurer for more than twenty years.<sup>25</sup>

When or where Wailes found this pamphlet is unknown, but his diary tells how he learned the name of the author. On October 19, 1859, he wrote, after having been in Natchez, that he had "met with Revd Mr. [Benjamin] Chase at Mr. Thos. Hendersons and learned from them that old Mr. John

<sup>24</sup> To Mr. V. Valta Parma, Curator of the Rare Book Room of the Library of Congress, I am indebted for expert advice on these and other points.

<sup>25</sup> This "Inaugural Address" is preserved in manuscript among the Wailes Papers, catalogued as Ser. N, No. 30, in the Department of Archives and History, Jackson, Mississippi.

Henderson was born in 1755 and died in 1841. It might be added that he was a Presbyterian.—T. L. Haman, "Beginnings of Presbyterianism in Mississippi," in Mississippi Historical Society *Publications*, X, 210, 217.



Henderson the father of the latter was the author of the first book printed in Mississippi entitled *Paine Detected*.<sup>26</sup>

Therefore it seems certain that the title of this pamphlet was *Paine Detected, or the Unreasonableness of Paine's Age of Reason*, that it was published anonymously but was written by John Henderson, and that it was printed by Andrew Marschalk in Natchez in the year 1799.

There seems to be no way of proving or disproving Wailes' statement that this was "the first book printed in Mississippi." The most that can be said with certainty is that it is one of the very few known Marschalk imprints of 1799. It was, however, the first non-legal work composed and printed in Mississippi, and as such Wailes had good reason to be amazed that it was printed at Natchez so early; for pioneer printers usually set type for more practical works, and Lieutenant Marschalk's only excuse for being relieved from active military duty was the great need for getting the Mississippi Territorial laws printed. It is not improbable that his printing of this unofficial work had something to do with Major Cushing's order that he return to active military life.

Wailes' description of the content of the pamphlet is satisfactory. About ten pages are in verse which was apparently taken from a longer, and presumably unpublished, poem Henderson had written and entitled "Redemption or Paradise truly regained." In this he shows some familiarity with several of the chief English poets. Most of the prose is devoted to refuting Paine's technique as a Biblical critic and, to a less extent, to criticising deism. Although the attack on deism is mostly by argumentation, satire is occasionally used. The following quotation illustrates the latter: "You'll perhaps observe, that the crocodile and aligator are not quite the same. I believe the difference lies chiefly, like that between atheists and deists, in the mouth."<sup>27</sup>

<sup>26</sup> Most of Wailes' manuscript diary, including the volume that contains this entry, is in the possession of Mrs. Charles G. Brandon, Natchez, Mississippi. What became of Wailes' copy of *Paine Detected* is not known.

<sup>27</sup> Perhaps it should be noted that Thomas Lindsley Bradford lists in his *Bibliographer's Manual of American History* (1907-10), III, 197, yet another work as having been printed in Natchez in 1799, namely, an 18mo. *Description of Texas* by Philip Nolan. No copy can be found. Furthermore, Bradford's note indicates that he had never seen it, and the further one goes back through Bradford's sources the hazier the trail becomes.

# The Propaganda Literature of Confederate Prisons

By WILLIAM B. HESSELTINE

The voluminous literature of the American Civil War, ranging in importance from the one hundred and thirty volumes of the *Official Records of the Union and Confederate Armies in the War of the Rebellion* to the latest apochryphal campfire anecdote, illumines every facet of the holocaust for the inquisitive historian. Occupying an interesting place in this literary outpouring are the accounts of those unfortunates who served their country in the prison camps of the enemy. From the summer of 1862 almost to the present day there has come from the press a stream of volumes, articles, and anecdotes about the prisons of the North and the South. The card catalog of the Library of Congress and periodic indexes since 1880 list almost three hundred titles of prison reminiscences.

This prison literature is unique amid the personal memoirs of the Civil War. Most of the ex-soldiers who recounted their wartime experiences did so from motives of personal pride or pique, but seldom did they relate their own story to their concepts of the essential nature of the conflict. Generals might write to defend their conduct in a campaign, or soldiers to voice a personal grievance, but the ex-prisoner who took up a reminiscent pen was fighting in a cause. Unlike his fellows the prisoner neither doffed his martial character with his uniform nor permitted time to soften his animosities. Instead he fought on in the determination to convince his readers of the essential brutality of his captors. Prisoners, whether Federal or Confederate, were almost unanimously convinced that their jailors had subjected them to treatment heinously designed to reduce their ranks by starvation and death. Soldiers in the field relegated the horrors of the battlefield to merciful oblivion, but the prisoners remembered their hardships and invented atrocities to fit their hypothesis of "Yankee" or

"Rebel" cruelty. More than any other factor, the prisoners' accounts of their sufferings served to keep alive the bitter psychosis of the Civil War.

During and after the war the prisons from Johnson's Island to Andersonville played much the same part that the Belgian atrocities played in the World War. In each case the stories fed the fires of hate and inspired war-crazed peoples with savage impulses. The major difference between them was that the one set of atrocities grew up by accretion while the other was organized and promulgated by official publicity bureaus. Official and expert propagandists in the World War did the work which was usually left to inexperienced dabblers in the "great rebellion."

Humanitarianism rather than an effort to create atrocity stories, however, led to the first outburst of prison horror stories. In the early part of the Civil War the Federal government adhered to the theory that secession was unconstitutional and its supporters were traitors. Fearing lest it should inadvertently recognize Confederate belligerency, the Lincoln government refused to exchange prisoners. In the northern papers this attitude was denounced as straining at a technicality. As the government showed no signs of yielding its position, the newspapers of the North had recourse to humanitarian arguments and presented the suffering of the prisoners who were confined in the tobacco warehouses of Richmond after the battle of Bull Run. Northern readers and the government were told that the captives were confined in close rooms "whose poisoned atmosphere is slowly sapping their strength hour by hour!"<sup>1</sup> Leaning heavily on their memory of history, the editors borrowed atrocity stories from the War of 1812 and the American Revolution.<sup>2</sup>

By the summer of 1862, when the first accounts by prisoners began to appear, the northern mind had been conditioned to believe the worst of the South. In the books which saw the light that summer the two arch-fiends of the Confederate prisons were presented to the northern people. Congressman Alfred Ely, whose curiosity to behold the battle of Manassas had led to his capture and confinement in Richmond, and

<sup>1</sup> *New York Times*, Aug. 1, 21, Sept. 30, Oct. 3, 1861; *New York News*, Aug. 2, 19, 20; Alfred Ely, *Journal of Alfred Ely* (New York, 1862), 50, 68, 135; cf. W. B. Hesseltine, *Civil War Prisons* (Columbus, 1930), 9-15, 174.

<sup>2</sup> *Harpers Weekly*, Nov. 2, 1861.

Colonel Michael Corcoran, self-styled "Hero of Bull Run" and commander of the Irish Sixty-ninth New York militia, each published books which described General W. H. Winder, the commander of prisons in Richmond.<sup>3</sup> The other major figure in prison demonology was Captain Henry Wirz, who was portrayed by W. H. Merrell, a private soldier from New York.<sup>4</sup> Although Winder was to appear in later accounts as the embodiment of cruelty, neither Ely nor Corcoran recounted any ill treatment at the Confederate's hands. In fact, neither of the prisoners was able to muster a very convincing array of sufferings. Ely recorded that he was well treated by the Confederates; and Corcoran, whose treatment had been much worse, designed his book as a recruiting pamphlet and could not afford to picture his treatment too darkly. Corcoran reserved his censure for the Confederate Secretary of War, whom he described as "one of those disgraces to mankind." Merrell, however, had seen a different side of prison life from that revealed to the officers, and he wholeheartedly condemned the Confederates, and especially described Wirz as inhumanely cruel.

There was a definite connection between the prison atrocity stories which appeared during and after the war and the abolitionist propaganda which preceded the conflict. The disciples of Garrison and Weld and Wendell Phillips and Gerritt Smith had labored for a generation to convince the North that slavery produced tyranny, cruelty, and a disregard for human life among the southerners. Such a belief was readily seized upon by the writers of northern prison accounts, and people who had wept over *Uncle Tom's Cabin* were soon weeping over the dread story of the Reverend James J. Geer, a Methodist abolitionist who had been imprisoned in Alabama and Georgia. Geer's hatred of the southern aristocrats was only exceeded by the disgust with which he regarded the "clay-eating" poor whites whom he met. His finer sentiments were reserved for the oppressed Negroes whose white masters kept them in ignorance. Through Geer's pages the

<sup>3</sup> Ely, *Journal of Alfred Ely*, and Michael Corcoran, *The Captivity of General Corcoran, The Only Authentic and Reliable Narrative of the Trials and Sufferings Endured During his Twelve Month's Imprisonment in Richmond and Other Southern Cities* (Philadelphia, 1862).

<sup>4</sup> W. H. Merrell, *Five Months in Rebeldom, or Notes from the Diary of a Bull Run Prisoner at Richmond* (Rochester, 1862).

connection between abolition propaganda and the stories of "Rebel" barbarity to prisoners can be clearly traced.<sup>5</sup>

In the summer of 1862, shortly before Geer's diatribe, an exchange was arranged between the two contestants, and the original humane motivation for prison stories disappeared. However, the necessity for proving that the South was peopled by inhuman monsters remained. After a year so many points of difference developed between the agents charged with exchanging prisoners that prisoners again began to be confined in the tobacco warehouses of Richmond or on the nearby Belle Isle. Moreover, Secretary Stanton found that soldiers who grew weary of martial discipline took advantage of the exchange cartel and fell into the enemy's hand to obtain paroles. Accordingly, he encouraged the quarrel between the exchange agents and took the first opportunity to end the cartel.<sup>6</sup> The abandonment of exchange was necessary to keep the northern army up to its full fighting strength.

In order to discourage surrender, the northern government found it desirable to picture conditions in southern prisons in the blackest colors. That there would have been little difficulty in finding ample evidence of bad conditions must be apparent when one considers the economic collapse of the Confederacy. As the southern transportation system broke down Lee's army was frequently without food, and the industrial poverty of the Confederacy rendered it impossible to furnish the soldiers in the field with proper clothing and equipment. Reason could hardly demand that a nation accord better treatment to captive enemies than to the fighting forces. Moreover, as an inevitable circumstance, the Confederacy did not assign its best officers or soldiers to the charge of prison camps. Despite the real efforts which second rate officers made to obtain supplies for the prisoners, and the evident intention of the Confederate government to accord captives the same rations as soldiers in garrisons, there was much real suffering in Confederate prisons. Thirteen thousand graves at Andersonville bear mute evidence to the poverty of the Confederacy, the failure of its transportation system, and the inefficiency of the prison system of the South.

<sup>5</sup> James J. Geer, *Beyond the Lines; or, a Yankee Loose in Dixie* (Philadelphia, 1863).

<sup>6</sup> For a full discussion of exchange see W. B. Hesseltine, *Civil War Prisons*, 69-113.

Although a portrayal of actual conditions in the South would have been sufficiently horrible to discourage northern desertions and surrenders, such a presentation would have been but additional arguments to northern people that exchanges should be resumed. Faced with this situation the War Department inaugurated a new phase of prison literature. Official propaganda was undertaken to convince the North that exchange was impossible — that it had been stopped by the South — and that the southerners were actuated by a determination to destroy the lives of the prisoners in their hands. Well edited copies of the bickering correspondence between the exchange agents were issued to the press; and the agents themselves wrote letters to the papers explaining why exchange had stopped.<sup>7</sup> Along with this went official reports on conditions in the Confederate prisons. The first of them was a report to the Surgeon-General on a boat load of sick prisoners for whom a special exchange had been arranged. These prisoners were described as filthy, covered with vermin, and starved.<sup>8</sup> This report was given wide circulation.<sup>9</sup>

In the spring of the following year, Secretary Stanton urged the Committee on the Conduct of the War to visit a hospital for returned prisoners at Annapolis and make a report which would show to the northern people and the "civilized world," the "enormity of the crimes committed by the rebels toward our prisoners." The Secretary was sure that the Committee would find "a deliberate system of savage and barbarous treatment."<sup>10</sup>

Thus inspired and instructed, the Committee, which was the chief agency in all northern propaganda, visited Annapolis and prepared an official report on all southern prisons. In thirty pages and eight photographs it summarized the testimony of the prisoners and offered ample proof of Stanton's contention. The horrors of Libby Prison and the infamous Belle Isle in Richmond were set forth in full detail. The eight pictures were masterpieces of photography and of the art-

<sup>7</sup> *New York Times*, Nov. 10, 1863; *National Intelligencer*, Dec. 2, 3, 7, 1863; cf. *Official Records of the Union and Confederate Armies in the War of the Rebellion* (Washington, 1880 ff.), Ser. 2, VI, 590 and *passim*.

<sup>8</sup> *Official Records*, Ser. 2, VI, 474-476.

<sup>9</sup> *National Intelligencer*, Nov. 20, 1863.

<sup>10</sup> *Official Records*, Ser. 2, VII, 110-111.

ist's imagination. Although two were of men who had died before the Committee visited the hospital, and another was of a soldier who had not been in prison,<sup>11</sup> the Committee wasted no space on such irrelevant details.<sup>12</sup> Immediately the report was published and given the widest possible circulation.<sup>13</sup>

Official endorsement of prison propaganda made the recounting of atrocity stories an act of high patriotism. Not to be outdone by the Committee on the Conduct of the War, the United States Sanitary Commission added propaganda to its other and more humane activities. Almost immediately after the official report the Commission appointed a committee headed by a Dr. Ellerslie Wallace, of New York, to make a study of the prisons in both North and South. Secretary Stanton regarded this development with a suspicious fear that the Sanitary Commission's investigators might not confirm the horrors found by the official propagandists.<sup>14</sup> However, the Committee proceeded with its work, visited several northern hospitals, and interviewed returned prisoners. By early fall, they had a report ready which surpassed in literary excellence and in vividness of account the best efforts of the Committee on the Conduct of the War.

The Sanitary Commission's *Narrative of Privations and Sufferings of United States Officers and Soldiers While Prisoners of War in the Hands of the Rebel Authorities*<sup>15</sup> was soon reprinted and given wide circulation by the Loyal League, another patriotic propaganda organization. With a gullibility possible only in war conditions, the Committee listed every atrocity story which had been concocted to that time. Like the House Committee, the report contained eight pictures of alleged prisoners whose naked bodies showed the ravages of prison-contracted disease. Beginning with a description of the robbery practiced by the Confederates at the time of capture, the *Narrative* carried the prisoners along the gory march from the battlefield to Richmond's tobacco ware-

<sup>11</sup> See Jefferson Davis to James Lyons, in *Southern Historical Society Papers*, I (1876).

<sup>12</sup> House of Representatives, 38 Cong., 1 Sess., Rept. No. 67.

<sup>13</sup> Cf. Frank Moore (ed.), *The Rebellion Record* (New York, 1864-68), VIII, 80-98.

<sup>14</sup> *Official Records*, Ser. 2, VII, 188-189.

<sup>15</sup> Philadelphia, 1864. It was reviewed in the *National Intelligencer*, Oct. 7, 1864. Cf. *Harper's Weekly*, Oct. 29, 1864.

houses. In the Committee's mind there was no doubt that the Confederates deliberately deprived the prisoners of furniture, clothing, warmth and food. The rulers of the prisons, especially General Winder, were excoriated as worse than beasts, and the Committee concluded, after exhibiting their museum of horrors, that "a predetermined plan, originating somewhere in the rebel counsels," was responsible for the brutality. In contrast, the Committee pictured the pleasant lives and even luxurious surroundings which characterized the prisons of the North.

The effect of these two books was seen in the absence of any further writing on the subject of prisons until after the end of the war. From the time of these publications until within a few months of Appomattox the potential *raconteurs* of prison experiences were in Andersonville and other southern prisons and there was no opportunity for them to produce accounts of their adventures. However, with the close of the war there began a rush of publication which continued until the World War.

Stimulating the prisoners to recount their experiences was the trial and execution of Henry Wirz in August, 1865. When Andersonville was established in 1864, Wirz, who had lost an arm in the Confederate service, was assigned to the command of the interior of the prison. Captured at the close of the war, he was confined in the Old Capitol prison in Washington where he was tried by a military court on charges of excessive cruelty, of the murder of prisoners in his charge, and of conspiring with the leaders of the Confederacy to reduce by death the prison population of the South. The presiding officer of the military court was General Lew Wallace, soon to write a novel on the life of Christ. But a contemplation of the career of the World's greatest Martyr did not even inspire the General to Pilate's renunciatory gesture. His aid was freely given to the prosecution which was conducted by Colonel N. P. Chipman of the Judge-Advocate-General's office. No man in the North was more thoroughly victimized by war psychosis than was Chipman and he conducted the prosecution with a zeal which ignored the rules of evidence and did not hesitate to suborn perjury. Witnesses whose characters could not bear close examination gave testimony according to their instructions. In lurid language they de-



scribed the terrors of life under a Georgia summer's sun. Wirz and Winder were condemned as fiends, and eyewitness accounts of murders were given. Disease and death had stalked the prison camp while food, clothing and shelter were entirely lacking. Wirz was found guilty of wanton murder and of conspiring with Jefferson Davis and Robert E. Lee to destroy the lives of his charges. November 10, 1865, the unfortunate victim of war's hatreds was hanged in the yard of the Old Capitol prison, on the site now occupied by the Supreme Court building.

Without the Wirz trial the literature of Confederate prisons would have had a less interesting future. The voluminous report of the trial was published by the government,<sup>16</sup> and immediately became a source book for writers of "memoirs." During the next two years twenty-eight books and articles came from the press setting forth the horrors of life in southern prison camps. A number of these were written by witnesses at the Wirz trial, and all of them bore unmistakable evidence that the authors had borrowed heavily from the official report. Within the next five years twenty more books were published. All of them were digests of the Wirz trial evidence.<sup>17</sup>

This outburst of prison literature was not due solely to the desire of the ex-prisoners to set down their real or imagined experiences. These years were full of bitter struggle over the treatment of the South in Reconstruction. The writers were all convinced that a record of their sufferings might contribute to the punishment of the South. "The magnanimity of our people is beyond question, and our enemies acknowledge it," declared one writer. "We must neither be too lenient or too severe. To the *leaders* who precipitated us into four years of bloodshed and war, the severest punishment which the law can give; but to the poor misguided masses, that clemency which only noble people are capable of exercising."<sup>18</sup> Another writer, opposing Andrew Johnson's wholesale pardons, declared his enmity to the "Slave Oligarchy" which was

<sup>16</sup> *The Trial of Henry Wirz*, 40 Cong., 2 Sess., House Ex. Doc. No. 23.

<sup>17</sup> These figures, and those that follow, are based upon the copyright records and the *Periodical Index*. Many other books, articles, and newspaper accounts were published. It is assumed that the copyrighted and indexed publications reflect the general interest in the subject of prisons.

<sup>18</sup> A. O. Abbott, *Prison Life in the South* (New York, 1865), 206.

being restored to citizenship. "I send out this book," he avowed, "trusting that whatever influence it may exercise will aid in bringing the guilty leaders of Treason to just punishment for their enormous crimes against humanity."<sup>19</sup> The interest in such accounts and the use made of them in the bitter fights of Reconstruction is evidenced in the political oratory of the day. Republican speakers rang the welkin with stories of prison atrocities. No group in America furnished more gore for the bloody shirt than ex-prisoners of war.

In 1869 the Republican House of Representatives, perceiving the value of the prisons in politics, appointed a committee to make an investigation of the subject. After taking testimony from some three thousand witnesses, the Committee published a report which immediately became a new text-book for both political speakers and polemical writers. The Committee was frank in avowing its purpose to condemn the whole system of slavery and the resultant barbarism of the South. "Rebel cruelty demands an enduring truthful record, stamped with the National authority," declared the investigators. As in every other case, the Committee was convinced of a diabolical Confederate plot to kill prisoners.<sup>20</sup>

Although the interest in prisons continued among politicians for a number of years, and even as late as 1876 James G. Blaine could use it in his futile effort to climb to the White House, the number of books written by prisoners declined. However, early in the eighties a new reason was found for publishing accounts of prison experiences. As the veterans of the Civil War began their series of pension raids on the national treasury, the number of prison reminiscences suddenly increased. Prisoners found themselves at a disadvantage in proving they had suffered injury during the war. There were no surgeons in the prisons to certify to disability contracted therein, and prisoners found difficulty in getting two competent witnesses for their alleged injuries. As if to overwhelm the Nation's legislators with a flood of sympathy the ex-prisoners thumbed their copies of the Wirz trial and the Congressional report and set their pens to recording the

<sup>19</sup> A. C. Roach, *The Prisoner of War and How Treated* (Indianapolis, 1865), 3-4.

<sup>20</sup> *Treatment of Prisoners of War by the Rebel Authorities*, House of Representatives, 40 Cong., 3 Sess., Rept. No. 85.

events of their horrible sufferings.<sup>21</sup> In the decade after 1878 thirty-one books and articles appeared to plead for pensions, and in the following five years thirty-nine more such items appeared in the publishers' lists. From 1892 to 1901 another thirty-two saw the light of day, followed by fifty-one more before 1910. The subject was kept constantly alive and the number of private pension bills for prisoners, and the eventual modification of the pension laws, were the tangible results.

Most of this writing was, of course, purely ephemeral, but some of the books had a wide circulation. Among the more important, both from the standpoint of its bitterness and its influence, was the *Soldier's Story of His Captivity at Andersonville, Belle Isle, and Other Rebel Prisons*, by Warren Lee Goss,<sup>22</sup> which was used with great effect by the Congressional Committee in its report in 1869. Another widely circulated work was the product of the facile pen of a Toledo *Blade* journalist, John McElroy. His *Andersonville, A Story of Rebel Military Prisons*<sup>23</sup> was perhaps the best written of the entire list, although it contained more than the usual share of inaccuracies. McElroy attacked Wirz with venom, and presented a story of "Rebel" cruelty which must have been convincing to his credulous readers. This work had perhaps the largest circulation of any prison account. A. O. Abbott's *Prison Life in the South* related the experiences of an officer in Libby and Macon, Georgia, and John L. Ransom's *Andersonville Diary* was widely read and frequently quoted.

In the list of prison literature there are a few freakish works. One pamphlet was written as a begging device and sold from door to door by its crippled author. There was no internal evidence that the writer ever saw a southern prison, and he had neglected to copy either of the official source books.<sup>24</sup> Another writer, who made a business of lecturing about his experiences, published a book which recounted his stay in various prisons. He reversed the order in which the prisons in the South were established, and arrived at Ander-

<sup>21</sup> John L. Ransom, *Andersonville Diary* (Auburn, 1881), 163; A. Cooper, *In and Out of Rebel Prisons* (Oswego, 1888), 346-347; S. S. Boggs, *Eighteen Months a Prisoner under the Rebel Flag* (Lovingston, Ill., 1889), 63.

<sup>22</sup> Boston, 1869.

<sup>23</sup> Toledo, 1879.

<sup>24</sup> *A History of George W. Murray and his Long Confinement at Andersonville, Georgia* (Hartford).

sonville, according to his story, a full year before the Georgia prison was established.<sup>25</sup> But perhaps the most interesting writer was the ingenious if not prolific John W. Urban, who published the same book under three different titles, with differences only in the pictures and the binding.<sup>26</sup> But such charlatanry was different only in degree from that practiced by a host of imaginary writers who, for pensions, for political ends, or for war purposes, copied official propaganda to incite and keep alive a hatred of the South.<sup>27</sup>

<sup>25</sup>Ralph Q. Bates, *Billy and Dick from Andersonville Prison to the White House* (Santa Cruz, Calif., 1910).

<sup>26</sup>Urban, *My Experiences Mid Shot and Shell and in Rebel Den*, and *In Defense of the Union, or, Through Shot and Shell and Prison Pen*, and *Battlefield and Prison and Prison Pen* (all, Lancaster, Pa., 1882). Only slightly different is his *Through the War and Thrice a Prisoner in Rebel Dungeons* (Philadelphia, 1892).

<sup>27</sup>For a bibliography of prison literature, cf. W. B. Hesseltine, *Civil War Prisons*, 259-282; see also 242, 247-257.

# Documents

## JOURNAL OF THE FIRST KENTUCKY CONVENTION DEC. 27, 1784—JAN. 5, 1785

*Edited by* THOMAS P. ABERNETHY

On November 7, 1784, Colonel Benjamin Logan assembled the leading men of Jefferson County, District of Kentucky, at Danville where many of them were in attendance upon the county court. He had had information that the Cherokee and Chicamauga Indians were on the warpath and he wished to invade their country. This could not be done legally without authority from Richmond, but it looked as though the frontiersmen might have to take matters into their own hands. Among those present, Colonel Isaac Shelby and Ebenezer Brooks, tutor to Colonel Thomas Marshall's children, favored such action, but Colonel William Fleming, who presided at the meeting on this day, opposed it along with Christopher Greenup, Caleb Wallace and George Muter. The next day a second meeting was held. Shelby was elected president, and resolutions favoring an expedition were carried. Meanwhile, Logan, who took no part in the discussions, received word from Colonel Joseph Martin that the Cherokees and Chicamaugas were peacefully disposed, but that northern Indians were expected to attack. This put a damper upon the move for the proposed expedition, but the legal disabilities under which the Kentucky people labored in defending themselves from the savages had been brought pointedly to the fore, and Ebenezer Brooks, who was in correspondence with Colonel Arthur Campbell of Washington County, in relation to these matters, took advantage of the situation to propose that Kentucky should be made a separate state. It was decided that a convention should be called to consider the matter.<sup>1</sup>

<sup>1</sup> The only detailed account of the proceedings of this meeting is contained in a letter from Ebenezer Brooks to Col. Arthur Campbell, Nov. 9, 1784. It is in the Draper Collection, 11 J, 37-38, and is published in Temple Bodley, *History of Kentucky* (Chicago, 1928), I, 345-56. See also John Bradford, "Notes on Kentucky," *Kentucky Gazette*, Dec. 1, 1826.

Campbell had been working for the separation of Virginia's southwestern counties from the mother state since 1782 and at the moment was deeply involved in the State of Franklin movement.<sup>2</sup> Of course, this was not generally known in Kentucky. The outcome was that a call was issued for a convention which assembled at Danville on December 27, 1784. Members were elected from the different military districts as they had been in Arthur Campbell's meetings in Southwest Virginia. Fleming was elected president, and Shelby acted as chairman of the committee of the whole. Most of the Kentucky leaders were in attendance; they were usually military men, civil officials, or land speculators, or a combination of these. A series of resolutions was adopted after much discussion. Here the grievances of Kentucky were set forth in justification of the desire for separate statehood. They pleaded the military disadvantages, the inequitable incidence of taxation upon the frontier communities, and the geographical factors which made local government desirable. The only resolution upon which the vote was recorded by yeas and nays was one complaining of a special tax levied upon estates of fourteen hundred acres or more in one body of land. This was carried by a vote of twenty to ten. Among those voting in its favor were John Campbell, Isaac Cox, Christopher Greenup, James Harrod, and Ebenezer Brooks; against it were William Kennedy, Caleb Wallace, Isaac Shelby, Samuel McDowell, and Benjamin Logan. A preponderance of land speculators in the first group and of civil and military officials in the second is obvious.

Kentucky at this time had, in the main, two groups of settlers: first, early comers from Virginia who had claims to lands under pre-emption rights or military warrants for services during the French and Indian and Revolutionary wars; second, hordes of newcomers, largely from Pennsylvania and the East, who hoped to get lands by treasury warrants purchased for about two cents an acre through the Virginia land office, which had been opened in 1779.<sup>3</sup> The earlier

<sup>2</sup> Samuel C. Williams, *History of the Lost State of Franklin* (New York, 1933), 5-12, 32, 45, 48; T. P. Abernethy, *From Frontier to Plantation in Tennessee* (Chapel Hill, 1932), 68-69; Archibald Stuart to Arthur Campbell, Jan. 5, 1785, Draper MSS., 9 DD, 42.

<sup>3</sup> Gen. Richard Butler, *Journal*, Jan. 2, 1785, quoted by Neville B. Craig, *The Olden Time* (Cincinnati, 1876), II, 507.

claims made it difficult for these newcomers to acquire titles to valuable tracts since the Virginia laws gave preference to prior claims. Naturally, the newcomers wished to get the government into their own hands, but they were not alone in this desire. Several leading Virginian speculators had become interested as agents or partners with wealthy speculators who were chiefly Philadelphia merchants. This combination was a powerful one, and it formed the backbone of the new-state movement in Kentucky. That there was a connection between the activities of the Kentucky separatists and the Franklin movement is indicated by a resolution which was presented to this convention denying the right of a state to surrender western lands and people to the jurisdiction of Congress without their consent. This was rejected on the ground that it did not apply to Kentucky. But it did apply to the State of Franklin.

This secession of western North Carolina, Arthur Campbell's attempt to bring about the separation of Southwest Virginia, and the new-state movement in Kentucky all came to head simultaneously in 1784. Campbell was interested in all three of them, and they all had the same object in view: to make the West free for the western land speculator.

The resolutions adopted by this first Kentucky convention were published by St. John de Crèvecoeur, *Lettres d'un Cultivateur Américain* (Paris, 1787), III, 438-40. The journal was not known to be in existence until found by the writer in a collection of William Fleming papers recently acquired by Washington and Lee University. The original manuscript follows:

[1] AT DANSVILLE MONDAY DECEMBER 27TH 1784

Pursuant to a recommendation for appointing Deputies to meet and take into consideration the present State of the District of Kentucky. The following Gentlemen on this day attended and produced their credentials Viz.

For the County of Jefferson

Richard C. Anderson	William Kincheloe
John Campbell	Philip Philips
Isaac Morrison	Andrew Hinds
Isaac Cox	Joseph Barnett
John Edward King	

## For the County of Fayette

Christopher Greenup	Robert Todd
Andrew Steel	William Triplett
John Craig	Robert Fryer
Benjamin Craig	

## For the County of Lincoln

John Lillard	John Boyle
John Logan	James South Junr
James Harrod	Robert Mosby
William Kennedy	Isaac Hite
William Fleming	Ebenezer Brooks
Caleb Wallace	Willis Green
Thomas Kennedy	James Davis

[2] The Convention proceeded to choose a President by Ballot, and William Fleming Esquire was Elected to that Office, who took the Chair accordingly, from whence he made his acknowledgements for the Honor conferred on him.

Ordered that Mr. Thomas Perkins be appointed Clerk to this Convention.

Ordered that Mr. Wallace Mr. Campbell and Mr. Greenup be a Committee to examine the returns of Election and make report Tomorrow morning

Adjourned till Tomorrow morning 10 oClock

## TUESDAY DECEMBER 28TH.

William Moore attended and produced his Credentials

The Committee for Examining the returns of Election reported as follows—

Richard C. Anderson for the District of Capt. Thomas's Comp—

John Campbell.....Capt. Kirkendalls.

Isaac Morrison  
Isaac Cox  
William Kincheloe  
Philip Philips  
Andrew Hinds  
Joseph Barnett  
James Rogers (Absent)  
John Edward King

These Gentlemen were Elected for the Districts of Captains Polkes Cunninghams, Rogers, Samuels Pottingers, Philips, & Vertress Companies, without distinguishing which District they Individually represent—



## [3] For the County of Fayette

Christopher Greenup, for the District of Capt. Morrisons  
Company  
 Andrew Steel.....McConnells, of McConnells Station  
 John Craig.....Johnsons  
 Robert Todd.....McConnells, Lexington  
 William Triplett.....McIntires  
 Robert Fryer.....Hazelrigs  
 Benjamin Craig.....Craigs.

## For the County of Lincoln

John Lillard for the District of Captain Hardins Company  
 John Logan.....Kincaids  
 James Harrod.....Moore's  
 William Kennedy.....Irvins  
 William Fleming.....Montgomerys  
 Caleb Wallace.....Rays  
 Thomas Kennedy.....Kennedys  
 John Boyle.....Boyles  
 John South Junr.....Souths  
 Robert Moseby.....Hinchess  
 Isaac Hite from the District of the Company formerly Com-  
 manded by Capt. McAfee—  
 Ebenezer Brooks for the District of Capt Dougherty's Com-  
 pany  
 Willis Green.....Ewings  
 James Davis.....Whatleys  
 William Moore.....Snoddys

Resolved as the Opinion of your Committee that the Elections of the foregoing Gentlemen are duly Certified, which was agreed to by the Convention.

[4] Resolved, that the votes of this Convention be taken Individually.

Squire Boone from the District of Capt. Boones Company attended and produced his Credentials—Ordered that the said Squire Boone be admitted to his seat.—

X Resolved Nemine Contradicente That the Inhabitants of this District have a right peaceably to Assemble to consider their Grievances and adopt such Measures, as they shall think prudent for redress.—

X Resolved N.C.D. That the said inhabitants are intitled to equal Liberty and Priveleges with their Bretheren in the Eastern part of this State.

Samuel McDowell from the District of Capt. Woods and Christopher Irvine from the District of Capt Irvins Companies attended and produced Credentials. Ordered that they be admitted to their Seats.

X Resolved that the Convention Resolve itself into a Committee of the whole tomorrow to consider the following propositio[n] Viz

Whether Laws which from their nature impose Taxes on the Inhabitants of the Western Waters only, whether expressly, or from their operation are greivous and against the fundamental rights of the People—

Adjourned till Tomorrow 10' Clock—

### WEDNESDAY DECEMBER 29TH.

Benjamin Logan from the District of Capt. Barnettts and Isaac Shelby from the District of Capt Martins Companies attended and produced their Credentials. Ordered that they be admitted to their Seats—

[5] The Order of the day being read, for the Convention to resolve itself into a Committee of the Whole—

Resolved that this Convention do resolve itself into a Committee of the whole on the State of the District—

Agreeable to the order of the Day for the Convention to resolve itself into a Committee of the whole on the State of the District, Mr. President quitted the Chair & Mr Shelby took the Chair of the Committee and after some time spent therein Mr. President resumed the Chair, and Mr. Shelby reported that several greevances have been laid before the Committee but not having had time to go through the same, moved that the Committee be discharged from the further consideration thereof and that the same be refered to a select Committee

Resolved that Mr. Wallace Mr. Greenup, Mr. Morrison, Mr. Anderson, Mr. Craig, Mr. Kennedy and Mr. Todd, be a Committee for that purpose.

Adjourned till Tomorrow 10' Clock.

### THURSDAY DECR 30TH.

Samuel Scott from the District of Capt Scotts Company attended & produced his Credentials—Ordered that he be admitted to his Seat—

Mr Wallace from the Select Committee to which was refered sundry Greevances reported that they have had the same under consideration and have come to sundry Resolutions thereupon which he read in his place and then delivered in the same at the Clerks Table where they were again twice read, and agreed to as follows—

X Resolved that the want of a Militia Law adapted to the local Situation of the District, whereby the Inhabitants [6] may be enabled to repel the Hostile Invasions of the Indians, subjects them to eminent danger, and the want of some Executive power in the District to resort to for inforcing the same in Cases of Emergency or greevances and require immediate redress.—

X Resolved that the Supreme Court for the District, not having proceeded to the desission of Suits depending in that Court is greatly injurious to the Peace and Interest of the Inhabitants and that the causes of this delay ought to be enquired into—

X Resolved that the Fines inflicted by the Supreme Court being appropriated to the suport of the Judges is injurious to the reputation of the Court and alarming to the People, as it opens a door for corruption.—

X Resolved That the Law imposing a Tax on process's and other proceedings is the Courts of Justice and not permitting the same to be Taxed in the Bill of Costs is a greevance and that the Law ought to be amended—

X Resolved that the one sixth part of all Surveyors Fees arising within this District, appropriated to the support of the University of William & Mary, and not to the Transilvania Seminary is a greevance—

X Resolved that the practice of Surveyors in Surveying the same Tract of Land for sundry Persons is a greevance because it tends to multiply litigations and Subjects the Claimnts to unnecessary expence.—

Resolved that the practice of the Register in demanding his Fees for issuing a Grant to Lands before the same [7] is obtained is a greevance—

X Resolved that the want of a Law or Laws in this District for appointing proper Officers to take care and provide for the Poor to bind out poor Orphans, and the Children of such persons as do not bring them up in a Christianlike manner, to punish the putative Fathers of Bastard Children, and for the enforcing the Law for processioning of Lands are greevances—

X Resolved that the want of a Law for encouraging the breed of Horses and preventing Stone Horses of Any Age or Size, from going at large is from our present circumstances a greevance—

X Resolved That the Law which prohibits Persons from keeping more than one Gelding or Speyed Mare, unless possessed of a certain Estate is a greevance, Because Emigrants on their removal into the District are thereby subjected to unreasonable forfeitures—

X Resolved That the Law which requires the takeup of a Stray to advertise the same in the publick Gazette within twenty days is a greevance, Because it is impossible to comply therewith—

X Resolved that the freedom of the Press is highly subserviant to Civil Liberty and therefor such measures ought to be taken as may be most likely to encourage the introduction of a Printer into the District—

X Ordered That the Hon.ble the Judges of the District Court be required to give their reasons for the delay of Bussiness in that Court and that they give them before a [8] Committee of the whole Convention

Resolved That the Convention do resolve itself into a Committee of the whole on the State of the District

Ordered that the Convention do now resolve itself into a Committee of the whole on the order of the Day—

Whereupon Mr President quitted the chair and Mr. Shelby took the Chair of the Committee and after a considerable time spent therein Mr. President resumed the Chair and Mr. Shelby reported that the

Committee have had under their consideration the several matters to them referred but not having time to go through the whole moved for leave to sit again

Resolved That this Convention will again resolve itself into a Committee of the Whole Tomorrow to take into further consideration the State of the District.—

Ordered that a Standing Committee be appointed to correct the minutes and make report thereon to the Convention and that Mr. Anderson Mr. Greenup Mr. Wallace Mr. McDowell & Mr Morrison be a Committee for that purpose.

Adjourned till Tomorrow 10 'Clock

#### FRIDAY DECR 31ST

The order of the day being read for the Convention to resolve itself into a Committee of the whole to take into further consideration the State of the District.—Whereupon Mr President quitted the Chair and Mr. Shelby took the Chair of the Committee and after some time spent therein Mr President resumed the Chair and Mr. Shelby reported that the Committee according to order have had [9] under their consideration the several matters to them referred but not having time to go through the whole moved for leave to sit again—

Resolved that the Convention will again resolve itself into a Committee of the whole Tomorrow on the State of the District

Ordered that Mr. Barnet have leave of absence for the remainder of the meeting.

Adjourned till Tomorrow 10'Clock

#### SATURDAY JANUARY 1ST 1785

Mr. Anderson from the Committee appointed to correct the Minutes Reported that the Committee had inspected the minutes and made several corrections which he read in his place and the same being amended. Ordered that the several Corrections with the amendments be admitted—

The Convention resolved itself into a Committee of the whole on the Order of the day. Whereupon Mr Presdt. quitted the Chair and Mr. Shelby took the Chair of the Committee and after Some time spent therein Mr. President resumed the Chair and Mr. Shelby reported That the Committee have had under their consideration the several matters to them referred but not having time to go through the whole moved for leave to sit again Resolved that the Convention will again resolve itself into a Committee of the whole on Monday next to take into their further consideration the state of the District

Adjourned till Monday the 3d at 10 'Clock—

#### MONDAY JANY 3D. 1785.

The order of the day being read Ordered That the same be postponed till Tomorrow.

Adjourned till Tomorrow 10 'Clock

[10] TUESDAY JAN. 4TH. 1785

The Convention resolved itself into a Committee of the whole on the Order of the day—

Whereupon Mr. President quitted the Chair and Mr. Shelby took the Chair of the Committee and after some time spent therein Mr. President resumed the Chair and Mr Shelby reported That the Committee had come to sundry Resolutions which he read in his place and then delivered the same in at the Clerks Table where they were again twice read and agreed to as follows—

X Resolved that all Laws imposing partial Taxes either directly or in their operation are greevous and against the Fundamental rights of the People—

X Resolved That the Law imposing a Tax of Five Shillings per hundred on Lands exceeding fourteen hundred Acres whether the same be in one or more surveys provided the same be contiguous is a greivance, Because it is partial in its operation and in many instances a retrospective Law—

X The Yeas & Nays being required by Mr. McDowell. For the Resolve Mr. Anderson, Mr Campbell Mr. Morrison, Mr. Cox, Mr. Phillips Mr. Hinds Mr. King Mr. Greenup, Mr. Harrod, Mr Hite, Mr. Brooks & Mr Green against the Resolve Mr. Kincheloe Mr. John Logan, Mr William Kennedy Mr. Wallace, Mr. Moseby, Mr. Moore Mr. Shelby, Mr McDowell & Mr. Benj.n Logan

[11] Resolved That the Law imposing a duty on Merchandize brought into this District by way of Pitsburg is a greivance Because such goods having paid a duty on their first importation are again subjected to an additional duty on their advanced price when so brought into the District

X Resolved That the Law restricting the payment of the Salleries of the Judges of the Supreme Court to certain duties and Taxes arising within the District and not out of the common Treasury is a Greivance, Because the Inhabitants not only pay their own Judges, but also their proportion for the support of the Judges for the Eastern part of the State—

Your Committee beg leave further to report That they have had under their consideration the Resolve proposed on Wednesday last. "Declaring that power hath not been Delegated to any body of men to transferr the good People of the United States or any part of their Lands to any other State or to the United States and therefor ought not to be exercised without their consent. Nor ought they to be relinquished or denied portection by their own or the United States" Upon which Your Committee are of Opinion that it is a Case of a very serious consequence but can not conceive that it can come before this Convention as not being a greivance now [12] existing within the District But it is the Opinion of your Committee That should an attempt of this kind be made, The good People of this District ought to oppose it by every Just and Lawfull method in their power

X Resolved That to grant any Person a larger quantity of Land that

he designs Bona Fide to seat himself or his Family on, is a grievance, Because it is subversive of the fundamental Principles of a free republican Government to allow any individual, or Company or Body of Men to possess such large tracts of Country in their own right as may at a future day give them an undue influence, and because it opens a door to speculation by which innumerable evils may ensue to the less opolent part of the Inhabitants and therefor ought not to be done in the future disposal of Lands in this District.

X Resolved That the Nonresidence of those who hold lucrative offices in this District is a grievance.

The Honorable the Judges of the Supreme Court have according to order delivered in their reasons as follows.—

[12] Mr. Chairman

In Compliance with an order of Convention, we beg leave to submit to the Committee a short state of the reasons why the Judges of the Supreme Court for the District of Kentucky have not proceeded to the decision of suits depending in that Court—

We need only suggest that two of the Judges have been slain by the Savages and another having declined to accept the Office has occasioned repeated delays—and the Court not being furnished with a Copy legally attested of the records of the Court of Commissioners that adjusted the Claims to Lands of the first Adventurers which the Judges are informed by the Attorneys for the litigants will be the material Evidence in the greater number of Suits now on the Docket, has also been another delay—But the Funds allotted to the support of this Court having hitherto proved unfruitfull, a Court house, Prison and Jury rooms, could not be built, nor the Attendants, and Books of Law necessary for the Court be procured, And altho we are willing to discharge the duties of the Office with which we have been honoured, without having our expenses immediately reimbursed, and to forego the advantages we might derive if we were at Liberty to engage in other [13] in other [*sic*] employments without the prospect of an adequate compensation, yet if all other impediments were removed, we are decidedly of Opinion that the Judges would violate the Trust reposed in them were they to proceed to hear causes, many of which are weighty and intricate as a fair tryal & Just decision could seldome be obtained whilst the Court is destitute of the conveniences we have enumerated.—

Most Obt. Hble. Servts.

The Committee  
of the State of the District

Saml McDowell  
Caleb Wallace

Resolved that the reasons assigned by the Honble. the Judges of the Supreme Court for not proceeding generally to the decision of cases depending in that Court are Satiesfactory—

The Committee have also had under consideration the further State of the District have come to the following resolutions thereupon—

X Resolved That the remote Situation of this District from the seat of Government is burthensome to its In[14]habitants and Subjects them to many greevances which can not be redressed whilst it remains a part of Virginia, some of which are as follows

X First, The determination of the Supreme Court not being final in all cases, subjects the Inhabitants of the District to prosecute their rights in the High Court of Appeals at Richmond in doing which they incur a heavy expense

X Secondly Because no Executive can be received into the District without a Legeslative at hand to inspect its conduct and redress the greevances of the People.

X Thirdly Because it is not consistant with the Constitution That there should be a power in the District to grant Pardons to objects of Mercy who have been sentenced to Death by Law—

x Fourthly Because the Inhabitants here cannot be informed of the Laws untill long after they are enacted & in many cases not untill the time in which they are to have their operation is expired—

X Fifthly Because of the large Sums of Moncy drained from the District in consequence of its connection with the Eastern part of the State—

x Resolved therefor as the Opinion of this Committee That the Convention also recommend it to their Constituents to choose a Convention to continue by Adjournment three months from the first day of May next to take the [15] Expediency of the proposed Seperation into consideration as also the several greevances stated by this Convention and to adopt such measures there upon and whatever else may come before them, as they may Judge most conducive to the Interest of the District—

X Resolved as the opinion of this Committee that in the choise of the proposed Convention the People should have as equal a representation according to their numbers as conveniently can be obtained—

Resolved as the Opinion of this Committee that Twenty Eight Deputies be elected within the District to serve in the proposed Convention as follows—

The County of Jefferson to elect Eight Members (viz) Four for the Devision on the North side of the Town fork of Salt river, the election to be held at the Court house on the first Tuesday in Aprile next, and Four for the Devision on the South side of the said River at such time and place as the Election for Delegates to serve in General Assembly for this Devision, in the same Month—

The County of Fayette to elect eight Members at the Court house on the second Tuesday in the same month

[16] The County of Lincoln to elect twelve Members out of the County at large (Viz) Three for the devision including Capt Hinchess Moores, Hardins Rays & McAfees Companies, at Harrodsburg on the third Friday in Aprile next.—Six for the bounds including Capts Snoddys Wheatleys, Montgomeries, Kincade Scotts Barnetts Martins Doughertys Ewings & Irvins Companies at Court house, on the third Tuesday in the said Month, and three for the devision including Capts. Souths, Christopher Irvins, Woods, Kennedys, and Boyles Companies

at Taylors fork of Silver Creek on the road from Adams' to Irvins on the Fourth Tuesday in same month.

X Resolved that the several Members of this Convention take the numbers of Souls in their respective Districts and make return thereof to the succeeding Convention distinguishing in one Column the number of Males above sixteen year old, in another the number of White Males under that age, In another the white Females, In another the Tithable Negroes, and in another the Negroes under that Age, And that it be requested of the Commanding Officers of such militia Companies as have not sent Deputies to this Convention to send representatives to the next—

Adjourned till Tomorrow 10 'Clock

WEDNESDAY JANUARY 5TH. 1785

[17] X Resolved That a Copy of the proceedings of this Convention be delivered to the Commanding Officer of each County in the District that the Inhabitants at large may know what their deputies have done in considering the Greivances that came under their notice, And that the original minutes be lodged with Mr. Willis Green for the inspection and descussion of future Conventions.

X Resolved That the said proposed Convention be held on the Fourth Monday in May next, and that at [the] several preposed Elections such members of this Convention as may be present appoint three or more Gentlemen to superintend the taking the Polls, to make return to the said Convention of the Deputies duly elected to serve therein. but if no member of this Convention be present then the Candidates present shall agree on three or more Gentlemen for that purpose.

And whereas matters of the utmost importance to the future well-fare of the People of the District will come under the consideration of the proposed Convention—

[End of manuscript].



## Book Reviews

*A History of West Virginia.* By Charles Henry Ambler. (New York: Prentice-Hall, Inc., 1933. Pp. xvi, 622. \$4.00.)

The thoroughness with which social history has been integrated with political and economic history is the outstanding feature of this latest contribution of Professor Ambler. Almost every historian today recognizes the importance of the ideals of the social historians and endeavors to meet them. All too often this results in an additional chapter or chapters of social history which are only slightly connected with the remainder of the work, and in reality add but little to its value. This is not true of this volume. Life is seen as a unity and historical developments are not described in water-tight compartments of economic, political, and social affairs. One feels that the author understands the progress of the people and that the reader will grasp much of this understanding.

A survey of the contents of this volume will give only an imperfect idea of its comprehensive character or of the difficulty which confronts the modern historian when he undertakes to write the record of an American state. The work is divided into two parts of nearly equal length, the first of which might have been called "Western Virginia," and the second "West Virginia." The history of the area, which later became West Virginia, is traced from the beginnings to 1860 in the first part. This includes the natural features, the aborigines, explorations and early settlements, institutional beginnings, the developments in the area connected with the French and Indian War, the settlement of the Trans-Allegheny, and the Revolution, which are followed by life and customs in pioneer days, the period of Federalism, the change from particularism to nationalism, the Constitutional Convention of 1829-1830, the rise of sectional strife, literature and education, and ante-bellum days. The secession of Virginia, the formation of West Virginia, its experience during Reconstruction, and of the periods 1876-1896 and 1897-1917, the era of the World War, life and literature, recent years, and current problems are the main topics of part two. A bibliography of fifty-five pages and an index conclude the volume.

The qualifications of the author to write this history are well established. He had previously published *Sectionalism in Virginia, 1776-1861* (1910), *Thomas Ritchie: A Study in Virginia Politics* (1913), *Life of John Floyd* (1918), *A History of Transportation in the Ohio Valley* (1932), and "Disfranchisement in West Virginia," *Yale Review*, 1905. He has resided in the state for many years, has been a member of the history faculty of the state university, and for the past five years head of the department. During these later years he has been engaged in collecting documents and publications from which this history has been written. These collections, which are housed in the West Virginia University Library, should prove to be an enduring monument to his interest in the history of West Virginia.

The author's approach to this volume is scholarly, critical, and detached, and, at the same time, that of an understanding citizen, who takes pride in the achievements of his state. He tells the story of the progress from pioneer days, of the accomplishments of the more successful native sons and daughters, and of developments in the more recent industrial era, but he also writes of arrested development, backwardness, and out-of-date legislative procedure. The footnotes and bibliography together are an excellent guide to the historical material about the state. Although the latter is arranged somewhat awkwardly, it contains lists of newspapers, manuscripts, and other publications which are quite important for the student.

Occasional errors of minor character may be noted, as that in regard to the boundaries of the Ohio Company and the route of Christopher Gist to the Ohio River (p. 80). It would seem that very little is said about labor disputes in the recent period, and that not enough recognition is granted to the growth of a unified state loyalty through such developments as good roads, improved transportation, newspapers, radios and the athletic games of the state university. When the author passes beyond the Reconstruction period into that of rapid industrial development he seems to lose some of his love for the task or to write with less assurance than was true of the previous years in which his earlier research had laid such a good foundation for the present work.

It should be clear, however, that these imperfections are of slight importance in comparison to the good features of the work. It is not only a comprehensive account that has been excellently integrated, but is written in a confident, clear and interesting style. The author quite cleverly traces the history of Western Virginia from the earliest settlement without making it a history of Virginia. The national story is co-ordinated briefly with an equal degree of skill. This treatise will

rank high among the one volume state histories. Its value is obvious as a text for courses in state history, as a means of enlightening many citizens about the problems now confronting them, and as a guide for the student anywhere to the foundations and progress of the commonwealth of West Virginia.

JOHN D. BARNHART

West Liberty State Teachers College

*A Short History of Georgia.* By E. Merton Coulter. (Chapel Hill: The University of North Carolina Press, 1933. Pp. xiii, 457. \$3.50.)

Professor Coulter's book supplies a long felt need in providing the only comprehensive history of the State of Georgia which has been written. Of fragmentary studies, monographs of various aspects of Georgia history, and biographies of varying merit dealing with "the lives and times" of notable Georgia leaders, there are not a few. McCall, Stevens and Jones have written, in an earlier day, of early Georgia history, and Colonel Avery's *History of Georgia, 1850-1881*, covers the middle period. Nothing of a general character has appeared, however, on the recent era. Hence Coulter's book, covering the history of the state from the earliest times to the present, provides for the student and the general reader a very useful manual.

Professor Coulter has elected, in his own words, not "to encumber the pages with footnotes." His book is avowedly for the general reader, done in an attractive and lively style, and yet the selection of subject matter, method of treatment, and accompanying bibliography reveal the trained historical judgment and the wide reading which students familiar with his previous work have come to expect. It may not be too much to say that Professor Coulter reveals in this book the fact that a scholarly work need not necessarily be pedantic or dull.

The writer has avoided making his book a mere political chronicle. Certain chapters, notably nineteen, twenty and twenty-one, are very fine and penetrating analyses of the economic resources and development of the state, and of its social characteristics just prior to the War for Southern Independence. Such economic and social emphases in the treatment of larger national themes, and in detailed monographs, are nowadays common enough; but all too frequently state and local histories still seem to be constructed on the exploded thesis of Freeman that "history is past politics."

Professor Coulter, in the opinion of this reviewer, is at his best in that portion of the book dealing with colonial Georgia and the history

of the state prior to 1860. The period of war and reconstruction seems not quite so carefully or so judiciously done. Particularly it may be questioned whether justice is done to Joseph E. Brown. Certain categorical statements (pp. 304, 309, 310, 311), unsupported by authority, impugning Brown's motives and honesty, are, at the least, open to question. After all, the state came over to Brown's viewpoint on the reconstruction issues. The Davis-Joseph E. Johnston controversy in Georgia wartime history is also disposed of pretty summarily (p. 320). The period of the state's history since the restoration of home rule in 1872 seems somewhat foreshortened, some 54 pages out of a total of 457 being devoted to this subject. For the rest, the proportion is excellent.

The value of the book to the student and general reader is considerably enhanced by a select bibliography of secondary sources which the writer has appended. Its attractiveness and utility is further increased by numerous drawings, engravings and illustrations. There is an adequate index.

Professor Coulter, who has written widely in the field of southern history, has long served as editor of *The Georgia Historical Quarterly*. It seems safe to say that with his *Short History of Georgia*, he has secured for himself a major and enduring place among those who have contributed to the writing of the history of that state.

HAYWOOD PEARCE, JR.

Brenau College

*Cavaliers and Pioneers: Abstracts of Virginia Land Patents and Grants, 1623-1800.* Volume I. Abstracted and Indexed by Nell Marion Nugent. (Richmond: Press of the Dietz Printing Company, 1934. Pp. 767. \$20.00.)

One of the great historical treasures of America is the record of eighteenth century land patents and grants, comprising more than 85,000 manuscript pages, which are preserved in the Virginia Land Office. Mrs. Nell M. Nugent, Custodian of the Virginia Land Archives, has undertaken the monumental work of abstracting and indexing these records, the publication of which has been made possible through the interest and generosity of Miss Agnes Bernadine Sitterding. The first volume, with an introduction by Dr. Robert Armistead Stewart, has just appeared in a de Luxe and limited edition of one thousand copies. Its attractive appearance is strikingly different from that of the usual published official document. It carries the record down

to 1666, and the series is to be completed in four more volumes. Mrs. Nugent's legal training and her great familiarity with the records involved render her eminently fitted for the massive work she has begun. The abstracting and indexing have been done with rare care, and some of the grants have been reproduced in full to illustrate the varying form in which they were drawn. Though some of the early records have been lost, the great body of the material has survived, and there is undoubtedly in this volume a greater mass of documentary material on the early settlers of Virginia than is to be found elsewhere. Not only do the records give the names of patentees, but in most cases they list also the names of persons on whom headrights were granted, and, in many cases, the rank or occupation of the grantee. Among the "headrights" will be found persons of every social class, ranging from the nobility to indentured servants, many of the latter being of good family and having connections in England. Genealogists will think that the work was intended primarily for them, but the historian will find it rich source material for the early social and economic structure of Virginia. The value of this contribution to *Americana* can scarcely be overestimated, and Mrs. Nugent and her patroness are to be congratulated on their really courageous undertaking.

THOMAS P. ABERNETHY

The University of Virginia

*History of the Lost State of Franklin.* By Samuel Cole Williams. Revised edition. (New York: The Press of the Pioneers, 1933. Pp. xviii, 378. \$6.00.)

The State of Franklin probably stands as the most important example of separatism in the whole history of the American frontier. It arose as the expression of that bitter sectional feeling current between the East and the West in the early years of the nation's expansion. Until recent times historians have overlooked its importance, in spite of the fact that students of local history knew some of the details of its comparatively short life. Judge Samuel C. Williams undertook the collection of the facts concerning this experiment in state making; after years of careful research he brought out the first limited edition of the *Lost State of Franklin* in 1924. This edition was quickly exhausted, and a second edition has now appeared to supply the demand for this valuable study.

Judge Williams was especially well fitted for a work of this kind, a native of the Franklin region and a jurist who had taken an active

interest in the history of his state. He spent many years in research, carefully collecting the varied items connected with its history. With patience and competence he pieced together the bits of material obtained by his search through forgotten records. In an impartial manner, which gives confidence to the student as well as pleasure to the casual reader, he has exercised his intimate knowledge of men and events connected with Tennessee history to present these facts.

The State of Franklin came into existence as the result of the policy of the Congress of the Confederation, which advocated the cession to the Union of the western lands belonging to the states. The passage of a cession act by the North Carolina legislature in April of 1784 created the immediate conditions out of which grew the abortive movement to create a separate state. Naturally, those living in the western part of North Carolina desired immediately to set up the organization necessary for that purpose. However, because of a variety of reasons, the cession act was repealed by the legislature in October of the same year. Leaders in this movement for repeal were men not disinterested in speculation in western lands. In the meantime, however, a constitution for the new state had been formed, and a government with John Sevier as governor continued to function in spite of the repeal. Judge Williams has traced carefully the history of this movement from its inception through the jealousy and discord among its leaders, the decline and failure of the little state to maintain its existence and to secure admission into the Union, the intrigues into which some of the leading characters entered with the Spanish government, and the re-establishment of the authority of North Carolina within the area.

The new edition of the *Lost State of Franklin* makes few important changes in the work, the additions being largely in the nature of supplying new material unearthed since its first publication. These changes, however, affect neither the form of the book nor the interpretations which it makes. The minor faults of the work may be summarized in a few words. The organization would have been more effective had the author not elected to break his material into many chapters of varying lengths, a method which to a limited extent injures the continuity of the work. A number of short chapters might have been combined with the subject matter of longer ones. The paragraph structure suffers, also, from the same lack of co-ordination. Yet neither of these minor faults detracts from the forward movement of the story nor from its accuracy. In a larger sense the author emphasizes too slightly the economic motives which dominated certain aspects of the Franklin movement. The desire of speculators to reap

a rich harvest of profits from the exploitation of western lands played a very important part in the difficulties encountered by the Franklinites. Some opposed the formation of the new state, and others attempted to use it as a means for advancing their own private schemes.

The lover of history owes a debt of gratitude to Judge Williams for bringing into full view the story of the rise and the decline of the fortunes of this group of frontiersmen—men who hoped to build a commonwealth free from the real and the fancied oppressions of a mother state which used them as pawns in the national political game. The publication of this second edition is highly gratifying.

CARL S. DRIVER

Vanderbilt University

*The Development of Methodism in the Old Southwest, 1783-1824.* By Walter Brownlow Posey. (Tuscaloosa: Weatherford Printing Company, 1933. Pp. xiv, 151. \$1.50.)

When the writer of this review was on his way to Charleston, South Carolina, to attend his first meeting of the American Historical Association in 1913, he was asked by an older member of the Association, then the Chairman of the Department of History in one of the large Universities of the Middle West, in what particular phase of history he was interested. He replied, "American Church History as a phase of the social history of the United States." Said the older man, "That is very interesting, but you will never get on with the cult." Undoubtedly he voiced the opinion of the majority of the cult of the historians at that time. But fortunately times have changed and the past twenty years have witnessed the growth in respectability of such historical interests. It is now as creditable historically to investigate a religious group as it is a political party, and it is recognized as necessary to understand the effects of a great revival as it is to comprehend a political campaign.

One of the reasons for the earlier attitude toward American Church history was the fact that until recent years practically all of it written in America was the work of the denominational historian, who, most generally, wrote as a propagandist. But in the last several years many carefully trained students of history have chosen phases of the religious history of America as their fields of investigation, with the result that many excellent studies have appeared, some of which might well serve as models of historical research. In this latter class I would place the present study under review.

The author of this study has chosen to treat his subject more or less topically, each of the ten chapters dealing with a particular phase of frontier Methodism. There is enough of the chronological, however, running throughout, to enable the reader to trace the orderly development of Methodism in the region covered. Perhaps the best chapter in the book is number two, dealing with "The Period of the Camp Meeting, 1800-1811," which, in the opinion of this reviewer, presents the most adequate treatment of this most important frontier social institution that is available. The author has depended almost solely on printed sources and few of them have escaped him, but I am curious to know, however, what could be turned up in the way of unpublished manuscript materials. There is hardly a dull paragraph in the book, which for a doctor's dissertation seems almost unbelievable. The author has evidently grown up in the Methodist tradition, which is not only indicated by his middle name, but also by the fact that he thoroughly understands Methodist nomenclature.

WILLIAM W. SWEET

The University of Chicago

*Andrew Jackson: The Border Captain.* By Marquis James. (Indianapolis: The Bobbs-Merrill Company, 1933. Pp. x, 461. \$3.75.)

As he demonstrated adequately in his life of Sam Houston, *The Raven* (1929), Mr. James is a biographer. And "Biography," he writes, "is not history in the general sense. It is a more personal and individual thing, and more difficult to do well." In this first volume of his ambitious study of Andrew Jackson he has performed successfully the biographer's task as he conceives it. On a background which the historian would consider at times too sketchily and somewhat incorrectly drawn, he has vividly portrayed Andrew Jackson. He presents the man who was to become the seventh President of the United States not as the personification of a generalization in American history, not as the instrument of some national or sectional policy, but as an individual, a personage, a man whose restless energy would not permit him to lead the leisurely and quiet life which Rachel, his wife, so greatly desired and gladly would have imposed on him.

Jackson was born to dominate the scene of his manifold activities as he dominates this book—to take, at times to usurp, the center of the stage in the changing rôle of backwoods lawyer and frontier jurist, speculator in lands and in agriculture, cock fighter and racer of horses, duelist, and above all as an impassioned warrior against Indians, Spaniards,



Britons, and all and sundry who dared oppose him. Much of the rapidly moving narrative is told in the language of Jackson and that of his contemporaries, for Mr. James has made frequent and skillful use of quotations from the mass of printed and manuscript sources which he has examined. Many of these have not hitherto been utilized by biographers of Jackson or by historians of the Jacksonian period. Not only has the author spent many hours of conscientious research in public and private libraries, but he has visited most of the places with which Jackson's life was associated. At each of these he absorbed something of "its local flavor," and manages by skillful phrases to convey that flavor to the reader.

This book is eminently readable. It should be read by all who seek an understanding of one of the most dramatic personages of American history. It presents the most complete account that has yet been written of the first fifty-four years of Jackson's life. It reaches a logical conclusion with the General's return from Florida in 1821. He was now seeking retirement from public life and an opportunity to spend his declining years in the fields and before the fireplace of the Hermitage. This, at any rate, was a life for which Rachel had prayed. It seems temporarily to have been what Jackson thought he desired, but the fires had not yet burned so low in the old Border Captain that his restless soul could find contentment in such an existence. It is to be hoped that Mr. James will carry to completion his intention to portray the still dynamic Jackson of those later years for which those here recounted were only a preparation.

PHILIP M. HAMER

The University of Tennessee

*The Early Life of George Poindexter: A Story of the First Southwest.*

By Mack Swearingen. (New Orleans: Published by the Author at the Tulane University Press, 1934. Pp. 194. \$2.00.)

Setting out to relate the early career of George Poindexter to its environment, the Mississippi Territory, and to explain his conduct as growing out of and typifying the nature of that early Southwest, the author interprets the story as a gradual divergence of both the man and his section away from the agrarian liberalism of Jefferson. To accomplish his aim, the author had to hoe his own row in a field untilled by the deep ploughing of scholarly monographs, full of the rocks of missing sources. It is due to the limitations which these conditions and the nature of the study impose, that the interesting conclusions of the

author on the nature of the society of the Mississippi Territory leave some questions. Roughly speaking, the Territory was composed of two sections: the Natchez District, a section of rich land on the Mississippi River in which there early developed to an unknown extent the plantation system, and a reversed frontier stretching away through the piney woods toward the river valley settlements in what is now Alabama. Although Poindexter received political support from the latter, it was in the first section that he settled when he arrived from Virginia in 1802, and it was with the interests of this planter civilization that he identified himself, and which he is represented as typifying.

As attorney general of the Territory, he prosecuted the land pirates of the Natchez Trace, and refused, on legal grounds, to prosecute Aaron Burr. As a member of the rough aristocracy, he engaged in his brawls and his duels, his potations and his gaming, and accumulated a princely estate in land and slaves. As a politician, he became leader of the Jefferson party or faction, and represented his Territory in Congress, where he failed in securing a solution of its intricate land problems, and its admission into the Union, complicated as it was by land questions, prejudices in Congress, and much sectional animosity with the Territory. Successfully, and in a very real sense, he represented there the particular brand of nationalism of the Southwest, an intense nationalism which was at the same time sectional; he thus answered in indignation Josiah Quincy's disunion speech of January 4, 1811. Thus he joined the War Hawks, speaking in the language of national honor, but seeking expansion of territory.

After serving on the territorial bench, he became the guiding spirit of the Constitutional Convention of 1817, which formed Mississippi's first organic law. The document was far from representing what might have been expected of Jeffersonian liberalism or western radicalism. For this, Poindexter was largely responsible. Both he and his section had moved away from Jefferson, if, indeed, they ever paid him any but lip service.

To this Convention as a climax the book's interest and merit mount, for it is treated with keen penetration if not brilliance. The interplay of the forces of liberalism and conservatism, and of sectional strife between the river counties and the frontier is deftly handled. Interestingly, the correlation of these forces is not what one would expect. Swearingen found that the great liberal leaders were all planters and inhabitants of the river counties, not representatives of the supposed rampant democracy of the frontier. With this fact before us, together with the reflection that practically all of the delegates, piney woods or

cotton, owned much property (as shown in the tax returns), some votes must be interpreted in the light of simple geography, unadorned by philosophy and class distinctions. Also, if Lattimore can be trusted, there was some wirepulling. Poindexter, along with other westerners, was building up his political fences in the east, evidenced by his representation compromise and by concessions to that section in the matter of extension of boundaries. A further modifying factor is that the delegates from Wilkinson, a river, planter county, showed clearly the beginning of their unholy alliance with the piney woods, which arose from a jealousy of Adams County and the City of Natchez. As he himself was quoted (*Washington Republican*, July 26), the motion of Dickson of Pike to reconsider the expediency of forming a constitution at that time was not primarily to secure an extension of the eastern boundary (p. 149) but to prevent a disruption of the compromise whereby senatorial representation was allotted geographically rather than by free-white population.

The author could have added to his details on Poindexter's private and political life, 1804-1810, if he had consulted the letters of Thomas Rodney, territorial judge and land commissioner, to his son Caesar, attorney general under Jefferson (*Pennsylvania Magazine of History and Biography*, XLIII, XLIV, XLV). To be trivial, his psychiatric diagnosis (p. 70) is objectionable, and interferes with his thesis, unless he means that a manic-depressive paranoiac typifies the Mississippi gentry.

Evidencing no timidity in drawing conclusions, the author writes in a fresh, clear, vigorous style; his organization and expression of his units are good. Illustrations, an annotated bibliography, a frank and stimulating preface, a freedom from typographical error, and an adequate index, add to the value and interest of this strong and intelligent study. It will be a boon to students of ante-bellum politics when he pursues Poindexter to his wretched grave.

W. B. HAMILTON, JR.

Duke University

*Alexander Porter, Whig Planter of Old Louisiana.* By Wendell Holmes Stephenson. (Baton Rouge: Louisiana State University Press, 1934. Pp. 154. \$1.50.)

Professor Stephenson's brief study of a Louisiana Whig is a good illustration of the usefulness of local history. Alexander Porter was an Irish immigrant who, after a short residence in Tennessee, established

himself in the bayou section of Louisiana and rapidly acquired distinction among his Acadian neighbors. They elected him to serve in the Constitutional Convention of 1811, and in this assembly he gave clear indication of his later political course by opposing all democratic proposals.

After this introduction to public life Porter became a very successful lawyer and for a short while served also in the legislature. In 1821 he was appointed an associate justice of the Louisiana Supreme Court, when he was barely thirty-five years old, and he served his state in this capacity for twelve years. He resigned from the bench in 1833 to represent the Whigs of his state in the United States Senate. He resigned from this position also just before the end of his term and died in 1844 in time to be spared the humiliation of Clay's defeat.

In the Senate Porter fought valiantly for the Bank and against all the deviltries of Jacksonian Democracy, but he was never a great person and never wielded great influence even in Louisiana. It cannot be contended, therefore, that he was an important national figure, and Mr. Stephenson states definitely that he was not. But he is decidedly worth a biographical study, because only through an understanding of individual members can one comprehend an amorphous group such as the Whigs.

Mr. Stephenson's study then supplies a real need. The period of Louisiana history which it covers has been very badly neglected. The author quotes Alcée Fortier as saying that during these years Louisiana "had little political history," and this attitude can be taken as typical.

Not only does this study supply a want; it is more important to record that it is a workmanlike and competent piece of research, level-headed and free from guess-work throughout. From the views of Alexander Porter, and a description of the life on his plantation, one can learn more about what "Whig" meant in Louisiana than from any other source.

Your reviewer questions a point or two made by the author, but considers his disagreement as of not enough importance to amplify. In the same category would go several typographical errors. These things amount to nothing and do not in the least detract from the scholarship of the study. All workers in this field must be grateful to Mr. Stephenson, and wish him a long life to continue the good work.

MACK SWEARINGEN

Tulane University

*The Francis Preston Blair Family in Politics.* By William Ernest Smith. 2 volumes. (New York: The Macmillan Company, 1933. Pp. xiii, 516, vii, 523. \$7.50.)

In these volumes the author traces the activities of the distinguished Blair family in America, with an introductory chapter on their Scotch and Scotch-Irish ancestry. In doing so he gives us an account of men and measures in American politics from 1820 to 1876.

No man was nearer to Jackson, nor had more weight in his counsels, than the elder Blair. The Blairs were also powerful with Lincoln. The senior Blair was a private adviser of both of these great presidents. One of his sons, Montgomery Blair, was in Lincoln's cabinet and his children played on the White House lawn with the Lincoln boys. Two or three of the Blairs were often closeted with the War president.

These Blairs were descended from the Ulster Scots of North Ireland. Their fathers came to America with the Scotch-Irish migration of the eighteenth century, becoming the sinewy men of the frontier, forming a buffer community against the Indians in Pennsylvania and Virginia, and later in Kentucky. The early Blairs were a religious folk, of true Presbyterian backbone; Francis P. Blair's father, who died in 1837, was a devoted elder in the Presbyterian church. They were families of many children and their progeny are scattered all over the United States. In Johnson County, Kentucky, in 1925, there were eighty-six Blairs, married and inter-married with the Breckinridges, the Prestons, and the Browns (B. Gratz).

The Blairs were usually protesters and crusaders for progress and reform, evangelists for a cause in each generation, in church and state. They followed their consciences, like men of Scotch convictions. They broke from the conservative eastern church and became "New Lights"; so, later, they broke from their old party of Jackson and, still calling themselves free soil Democrats or Jacksonian Democrats, they joined the Free Soilers in 1848 and helped to organize the Republican party in 1856, and, again, the Liberal Republicans in 1872. They were "come-outers." In every case they felt that not they but the party had abandoned the original standards.

The elder Francis P. Blair was born to politics, reared in a school of politicians. He was a natural democrat. In the struggles in Kentucky against the second United States Bank he lined up with the "Relief Party," with Kendall, Barry, and Rowan, bitter antagonists of the Bank,—a significant fact, as two of these men along with Blair became Jackson's right hand men. Jackson felt the need of an organ

to defend his policies. Duff Green with his *Telegraph* was hardly reliable and was too friendly to Calhoun. Through Kendall, Blair came to Washington and founded the *Globe* to support Jackson's cause. It is interesting to read of his physical appearance in 1830 as described by John C. Rives (his partner in the *Globe*) in 1856: "Lean, stooped, 107 pounds all told, 85 of it bone, the rest gristle, nerve, and brain; of flesh he had none; of fair complexion, sandy hair, blue eyes, thin hatchet face, countenance mild."

Such was the man on whom Jackson's policies were to depend for journalistic defense. There could not have been a better. Blair had linguistic abilities of an unusual order. He was an able editor. Terrible invectives came daily from his vigorous and prolific pen, from a brain of prodigious energy. As an official organ the *Globe* received departmental support, and all office-holders with a yearly salary of one thousand dollars or more were expected to subscribe for it. Surety of financial success came when a business partnership was made with John C. Rives and when the partners were made printers to Congress, in 1833. In December of that year Blair and Rives established the *Congressional Globe*, which they published as official reports of the proceedings of Congress until 1849, and which the author calls "Blair's chief contribution to American history."

Jackson won Blair's full admiration and fidelity. Their principles and purposes were the same. Blair said that Jackson was "as true a patriot as ever breathed." He was ready to dedicate his life to maintain the fame and character of Jackson. To Blair Jackson was a super-man who "filled the measure of his country's glory," and it was "not within the scope of a mind to do justice to such a man." Such was the adulation which Blair felt for his leader. Blair became one of the "Kitchen Cabinet" and Jackson's chief consultant. Jackson to his dying day was Blair's devoted friend,—he left his papers to Blair; and Blair knew no higher loyalty during his long life than his loyalty to Jackson and his memory.

For eight years he aroused and directed public opinion for the "old Hero,"—against the "Coalition and corruption"; against nullification and its author; against Clay and the alliance with Biddle and the Bank; for the removal of the deposits, and for expunging the resolution of censure. Jackson urged Blair on all points "to give no quarter, make no compromises, and fight for the people." President Polk personally disliked Blair and he deposed him as editor of the official organ, and brought in Ritchie of the Richmond *Enquirer* to edit the new administration organ, *The Union*. Polk wished to destroy the over-weening

influence of the Benton-Blair-Wright-Van Buren group. So factions were forming within the old party. Blair sold the *Globe* for \$35,000 and retired a "happy and wealthy man amid the rejoicing of his family." He came to Washington penniless in 1830; he left in 1845 worth \$100,000.

Professor Smith's ample volumes reveal not only Blair's relation to Jackson, but to Van Buren, whom he admired and supported, and to Tyler, Polk, Pierce, and Buchanan, all four of whom he criticised and opposed as recreant to true Jacksonian democracy. He helped to arouse the South against abolitionism, which he abhorred, but he saw the danger of the militant attitude of radical southern leaders. He believed that Calhoun and the nullifiers had a long time plan for arousing in the South undue fear of northern intentions toward slavery, and of combining the slaveholding states for secession and disunion and the erection of a slaveholding confederacy. This angered him and led him to look for northern allies in politics. He knew that the "Constitution and the Union" had a warm place in Jackson's heart.

The volumes give a full account of national party conventions and of presidential elections. The author is well fortified with family letters and original documents to sustain his well-founded estimates of men and measures. They present an interesting history of the times,—the annexation of Texas, the Compromise of 1850, Pierce and the struggle in Kansas, the Dred Scott case, Buchanan and the Lecompton question and his quarrel with Douglas, the Lincoln-Douglas contest in Illinois, Civil War politics, and the break of the Blairs with the Republicans on reconstruction.

The elder Blair is given his place as one of the founders of the Republican party. He presided at its first national convention, February 22, 1856. He read to the convention an address, "The Republicans of Maryland to the Republicans of the Union,"—a southern expression from a slave plantation in a slave state, from a free soil Democrat. It was an effective plea for the unity of all men who would oppose slavery extension. His letter of April 26, 1856, "To the New York Republicans," published in the *Evening Post* under the caption, "A Voice from the Grave of Jackson," is pronounced "a pregnant chapter in the political history of our country." There can be no doubt of the effective influence of the Blairs on the origins of the new party and its primary program.

Accounts are given of the elder Blair's children,—of Elizabeth who married one of the Lees of Virginia; of James who went through Annapolis into the Navy but soon resigned to join the gold rush to

California; of Montgomery who graduated at West Point but who soon left the Army for the law, to practice in St. Louis and Washington, to appear before the Supreme Court in many cases, and especially as counsel for Dred Scott, and to appear as a factor of conflict and contention in Lincoln's cabinet until 1864 when the Blair influence with Lincoln had so waned that the President yielded to the pressure for Montgomery Blair's displacement.

Almost as much attention is given in these volumes to Francis P. Blair, Jr., as to his father. The author is impelled so to do by the distinguished career of Frank Blair,—in Congress before and during the War, in the rough and tumble party contests in Missouri, in the notable struggle in 1860-61 to save Missouri to the Union, in his volunteer service as major general in the field under Grant and Sherman, in the break with the Radicals on reconstruction, and in his candidacy for vice-president with Seymour in 1868, in which Blair's "Broadhead" letter played such a conspicuous if not decisive part. In it Blair declared that the new President should "trample into dust the unconstitutional usurpations of Congress known as the Reconstruction Acts." He should declare them null and void, compel the army to undo its usurpations, disperse the carpetbag governments, and allow the whites of the South to reorganize their own governments and elect Senators and Representatives to Congress. The Republicans held that such a program meant revolution and a renewal of the war. "No letters," says the author, "had ever been more fatal to a candidate or to a party."

The volumes contain a good index and a full bibliography. They show the result of wide investigation and careful study. They are well written, and any one who is acquainted with historical politics in America will recognize in them a very valuable contribution to our history.

Indiana University

James A. Woodburn

*Slavery in Mississippi.* By Charles Sackett Sydnor. The American Historical Association. (New York: D. Appleton-Century Company, 1933. Pp. xiii, 270. \$3.50.)

This volume well represents the trend in the more recent studies of American slavery. Emphasis is placed on the practical, everyday problems, rather than the legal and statistical aspects, as was the case with such monographs a generation ago. Illustrative are such chapter headings as "Work," "Clothing, Food, and Shelter," "Punishments and



Rewards," and "Buying, Selling, and Hiring." The sources used are mainly newspapers, works of travel and description, and manuscripts. A singular omission is the failure to use medical journals for information regarding health and sickness.

Throughout the work the author is objective, reckoning always with the facts. Of paramount interest is his illumination of three themes: the slave traffic, the economic liability of slavery, and public opinion regarding the peculiar institution.

Prevailing opinion down to 1832 was to permit immigrants to bring their slaves with them into the state but to place restrictions on traffic in slaves as merchandise. The Constitution of 1832 prohibited the business of slave traffic and the legislature of 1837 enacted a statute enforcing the constitutional prohibition. But the traffic, though outlawed by the Constitution and made illegal by legislative action, existed. Notorious were its financial aspects; notes given in payment for slaves could not be collected through suits in the state courts but could be collected through litigation in the Federal courts when there was diverse citizenship. The slave trade was therefore supported very largely by specie which was drained from the state. Finally, by the constitutional amendment of 1844-46 the prohibition of the traffic was rescinded and it was then legalized by the legislature.

This raises the question of public opinion regarding the institution of slavery. In the early years of Mississippi, leading men, as in Virginia and the Upper South, regarded the institution as a necessary evil rather than a positive good. By 1830 opinion began to drift toward the latter position. The significant cause of this reaction was the shifting of political power from the Natchez region to the frontier which needed slave labor for its development. The leaders of the frontier "defended slavery and they did it with the vigor, the daring, and the uncompromising spirit of the frontier—it was not until after southwest Mississippi lost its political dominance that the defense of slavery became popular." The classic defense, parenthetically, was Henry Hughes' *Treatise on Sociology*, probably the first American book with *Sociology* on its title page.

In his discussion of the profitableness of slavery, Dr. Sydnor is cautious. All limitations resulting from combining labor and capital in one investment are not considered. Unquestionably in years when cotton prices were high, there were large profits, but would not those profits have been larger with free labor? The planter's credit was apt to fall not only with the decline in cotton prices but also in case of a

decline in the market price of slaves; by 1860 the slave population was at the saturation point, and such a decline was apt to occur.

Conservatism characterizes the work. The harsher aspects of the slave system are not exploited. Apparently the Negro was satisfied with his lot. Nor is reflection made concerning the reaction of the presence of a servile race on the minds of a master class and on those who did not own slaves. These questions, however, for other states as well as Mississippi, remain a subject for future exploration.

WILLIAM K. BOYD

Duke University

*The Antislavery Impulse, 1830-1844.* By Gilbert Hobbs Barnes. (New York: D. Appleton-Century Company, 1933. Pp. ix, 298. \$3.50)

The function of this book may be described as the revisionist interpretation of the antislavery crusade. Finding that the traditional account, relating the abolition movement to a New England focus and a Garrisonian leadership, does not fit the facts, the author conducts a thorough restudy from which there emerge new viewpoints, new scenes (if comparative emphasis be the criterion), and new actors. Among the latter are Finney the revivalist, the Tappans (Arthur and Lewis) who served both as organizers and "good angels," Finney's young men (ready at the anxious seat to admonish those seeking salvation), Theodore Dwight Weld and his "Lane rebels," the "Seventy" who set forth to abolitionize the country, the Grimké sisters, Charles Stuart, Henry Stanton and his redoubtable Elizabeth, and two notable Joshuas—Leavitt and Giddings. In his earlier pages Barnes relates how Finney's revivalism ran afoul of orthodox Calvinism and staid New England Congregationalism; how saints, sinners, and Beechers (especially Lyman) assailed Finney; and how, in spite of this, abolitionism of the thirties, as well as the spread of a far-flung "benevolent empire," was the outgrowth of Finney's efforts. In this mass assault upon Satan, largely on the western front, various holy movements were launched, including the Magdalen Society for the redemption of fallen women, temperance societies, the movement for Sabbath observance, the Oneida Institute (a seminary for Finney's holy band), and sundry movements for the relief and improvement of the colored race. When Weld and other students at Lane Seminary were expelled because of their bold stand on abolition (by no means a healthy thing in Cincinnati of the thirties), they found a new home at Oberlin where a moribund college thus found a *raison d'être* and became a center of abolition effort.

From that point the book proceeds by a recital of the crusading adventures, changing strategy, factional difficulties, and formidable opposition which constitutes the abolition story. Emphasis is given to the evangelistic efforts of the Seventy; the transferring of Weld's energy from oratory to pamphleteering as a result of voice collapse; the reorganization of the American Antislavery Society with a New York focus and a western basis; the flood of organized petitions; the multiplication of local antislavery societies till they numbered one hundred thousand members; the decentralizing shift of influence from a national to local organizations; the accompanying decline of the American Antislavery Society; the labors of the antislavery lobby at Washington conducted by Weld and Leavitt; and the growth of an insurgent bloc of abolition congressmen, with Joshua Giddings as promoter, which became the spearhead of a new abolitionism, and which, by forcing the slavery question more and more into national politics, deliberately intensified the factor of sectional antagonism. In this recital Garrison becomes a minor figure. Instead of organizer and leader he is treated by Barnes as a notorious name which contributed odium, not strength, to a movement shaped by other hands. By 1833 Arthur Tappan and his "New York Committee" had laid plans for a national society. At this point Garrison, returning in a blaze of reflected glory from England, stole Tappan's thunder and promoted a premature and thinly attended meeting at Philadelphia which Barnes calls a "fiasco." Here he assisted at the launching of the American Antislavery Society, thereby getting financial relief for himself and his tottering *Liberator*; and here began the legend that Garrison was the leader of the antislavery movement in America. Barnes shows, however, that Garrison had no qualities of leadership; that Tappan was organizer, president, and later reorganizer of the American Antislavery Society; that Garrison's one office in the society (a secondary one) was soon resigned; that he was never asked to fill another; and that even in New England his journal was only for a brief period the recognized mouthpiece of organized abolition. While Tappan and others intimately identified with Finney's Great Revival sponsored, founded, and supported the American Antislavery Society, Garrison's prominence arose not from northern supporters, but from southern enemies. That the Boston agitator was a liability rather than an asset to the cause was demonstrated not only by such an incident as his glowering from the gallery at the World Antislavery Convention at London in 1840 because women delegates were not received (at which time Elizabeth Cady Stanton herself said that Garrison spoke with "much folly"), but even more

by his vituperative truculence, his anti-religious position, and his utter break with New England church leaders.

Such in part (for space is lacking to set forth Barnes's whole thesis) is the revisionist story. Though it may be said that Barnes does not link his treatment with contemporary movements and developments in America on the political, social, and economic fronts, yet his story has a remarkable consistency with facts and is buttressed by elaborate citations to a large number of antislavery journals (among which the *Liberator* is mentioned as "less valuable"), divers biographies and autobiographies, essays, tracts, sermons, and family manuscripts. Foremost among his sources are the *Weld-Grimké Letters* (2 vols.) published under the editorship of Barnes and Dwight L. Dumond in 1934. This set should, indeed, be regarded as supplementary to the present volume, which should be read prior to, and then along with, the *Letters*. Incidentally the value of historical endowments is demonstrated by the fact that the Barnes monograph now before us is published from a fund contributed to the American Historical Association by the Carnegie Corporation, while the *Weld-Grimké Letters* are published, and handsomely too, by the Beveridge Memorial Fund.

J. G. RANDALL

The University of Illinois

*The Eve of Conflict: Stephen A. Douglas and the Needless War.* By George Fort Milton. (Boston: Houghton Mifflin Company, 1934. Pp. xvi, 608. \$5.00.)

This new work by the keen, hard-working, versatile editor of the *Chattanooga News* is not a biography of Douglas. It is frankly a study of three questions: Was the Civil War necessary? Did Stephen A. Douglas offer the country a sound solution to prevent war? Why was the Little Giant's policy rejected? There will be some disagreement in regard to the answers to these questions which have been furnished, but, whether he has found the correct answers or not, Mr. Milton has produced a remarkable book which sets forth a multitude of new facts.

About fifty pages of the volume are devoted to the period before 1850, as compared to five hundred that carry the reader from the beginning of the crisis of that year to the death of Douglas. The research necessary to produce the study was confined almost entirely to the period between 1849 and the summer of 1861. The author has had access to a vast number of letters written to Douglas not available

to earlier writers, but he has also studied a wide range of sources in addition to this correspondence. Some of the subjects which he has felt compelled to treat, like slavery and the struggle in Kansas before 1860, have not been very fully investigated, but many others have been studied with unusual care. No one has ever before traced the history of the Compromise of 1850 so fully. A similar comment could be made relative to most of the topics handled by the author. At times one feels that too much attention has been given to the lesser ebbs and flows of the currents of party fortunes.

Mr. Milton has read special historical articles, biographies and larger works, many of which are cited in the footnotes and bibliography. There is little evidence that he has made any close study of the writings of the late Dr. U. B. Phillips. The general tendency of Phillips was to see southern history as the outcome of geography and economic development. Senator Beveridge was the first biographer of Lincoln to recognize the statesmanlike vision of Douglas. It seems a bit unfortunate that his views and the conclusions of others who have come most closely to the estimates of Douglas presented by Mr. Milton have not received greater recognition in his fascinating work.

While not unaware of the influence of soil and climate and of economic and social factors, the author is mainly concerned with men. It would be hard to name a writer of American history who speaks so familiarly of such a host of party leaders. He has no hesitation in characterizing rather positively men who do not come into the picture very often or very fully. A reader who accepts too readily the snapshots of Jim Lane, Graham N. Fitch, Joseph Lane and Salmon P. Chase will probably not do them full justice. There are quite a few leaders who appear on the scene frequently, men studied extensively by Mr. Milton, whose judgment and motives are almost always condemned. Among these are John Slidell, Howell Cobb, Benjamin F. Butler, Jesse D. Bright, Caleb Cushing, James Buchanan and Jefferson Davis. There are students of American history who will contend that some of these men have been judged too severely.

"*Uncle Tom's Cabin*, 'Bleeding Kansas,' 'Bully' Brooks' assault on Sumner, the Dred Scott case, Buchanan's hate for Douglas, Harper's Ferry—but for these there might have been no Civil War" (p. 237). How could it have been prevented? By accepting the point of view of Douglas who rejected both the northern and southern plans for congressional intervention in the territories. Believing in the "operation of economic laws," the Little Giant "felt that the climate, soil and other natural characteristics of the Western Territories would make them

free. He thought the Missouri Compromise repeal would not extend slavery, but would reduce southern opposition to the formation of new Territories. A series of new free Territories would be established, finally the South would find competition too unprofitable and severe, and slavery would die a natural death. But the South would have no legitimate complaint, for its honor would have been respected and its constitutional rights scrupulously offered and maintained. This, to Douglas, was national ground" (p. 183).

What really prevented a majority of the people, North and South, from rallying to the support of Douglas? A major disaster was the break-up of the Democratic party at Charleston. "As late as March of 1860," declares Milton, "there was a good chance to avert Secession" (p. 370). Because the party machinery did not permit the people of the South to select delegates who really represented the Douglas sentiment of that section, the southern Ultras aided by Buchanan were able to stage a bolt that was effective, and really start the war at Charleston in the spring of 1860. In spite of the "irrepressible conflict" theory, the author believes that "prior to the disruption of the Democracy, civil war was not inevitable" (p. 519).

Whether the contention that the Civil War was needless has been demonstrated or not, the courage, consistency and vision of Douglas have been more clearly shown than ever before. However narrow the margin by which the nation failed to sustain the great man who would have saved the Union without war, failure there was, and all compromise plans were later rejected and the sword drawn. There were certain powerful factors that operated to produce the Republican party in the North, and there were powerful forces making for southern nationalization. The conditions being what they were in both sections, a resort to war was easier than the acceptance of the policy of Douglas which demanded an understanding of the slow operation of economic laws based on geography. It was much more natural for men to prepare for battles than to discipline themselves, co-operate under great difficulties, and wait patiently for future results though sure to come. What happened was not unlike what had often happened before—and since.

WILLIAM O. LYNCH

Indiana University

*The Secession Movement in Virginia, 1847-1861.* By Henry T. Shanks. (Richmond: Garrett and Massie, 1934. Pp. xi, 296. \$3.00.)

The secession movement in Virginia has been a matter of such general interest and has been considered so significant in relation to the

larger history of the secession question that a voluminous historical literature dealing with the subject has appeared. This work, however, is the first monographic study dealing exclusively with that phase of the history of Virginia. Professor Shanks begins his study with a brief analysis of the geographical, economic, social, religious, political, and educational reasons for the sectional and factional discords which existed in Virginia on the eve of secession. He then considers in turn the inter-party feuds of the Whigs and Democrats, the reaction in Virginia to the nullification controversy in South Carolina, the first steps in the break-up of the Whig party during the controversies over the Compromise of 1850 and the Kansas-Nebraska bill, the difficulties within the Democratic party between the followers of R. M. T. Hunter and Henry A. Wise, and the apparent revival of the Whigs in 1859. Brief but adequate treatment is given also to the growth and development of the secessionist agitation championed by Beverly Tucker and Edmund Ruffin. With this background for his main study thus well established, Professor Shanks traces in detail the reaction in Virginia to John Brown's raid, the election of 1860, the period of agitation following the election, and the significant events connected within the legislature of 1861, the efforts of Virginia to bring about a compromise, and the Secession Convention.

Professor Shanks does not indulge in unnecessary rhetoric or in special pleading. There is no flourish of phraseology, no padding of material, and not the slightest digression from the subject. He presents an exceptionally well organized, straight forward, factual analysis of the material which he has gleaned from an exhaustive search of the available data concerning the secession movement in Virginia. Conclusions and opinions are in every case the logical result of the facts which have been presented. The book contains a series of maps showing the geographical divisions of Virginia, the distribution of slaveholders in 1860, and the results of some of the important elections. While it is unfortunate that the footnote citations have been placed at the back of the book, the documentation is exhaustive and adequate, and the bibliography of eleven pages is well organized.

Notwithstanding the general excellence of this study the fact remains that with the exception of minor details it contains no significant data which substantially alter the conclusions of other writers regarding the secession movement in Virginia. In brief Professor Shanks finds that although there was an efficiently organized, enthusiastic, and indefatigable group of radical secessionists in Virginia, the majority of the people were unionist in sentiment and remained relatively in-

different to the idea of southern nationalism as long as there was any hope of compromise. When Virginia was faced with the necessity either of joining with the Confederacy or of assisting in its coercion, her traditions, her social and economic relationships, and the whole force of her history led her inevitably along the pathway of secession. Even in the northwestern area where there was an old sentiment of sectionalism and where the Baltimore and Ohio railroad formed a connecting link between that area and the North, the prevailing opinion was not favorable to coercion. Professor Shanks gives full credit to the fact that the way for secession had been prepared by the agitation of the radicals, the exigencies of party necessity, and the need of the politicians for inflammable material. But there is no escape from the fact that in spite of the profound influence of John Brown's raid upon the people of Virginia, and what was more significant the attitude of the North regarding that episode, there was more unionist sentiment in Virginia in 1859 than there had been five years earlier. The candidate of the Constitutional Union party carried the state in the election of 1860 and the legislature of 1861 was unionist in sentiment and desire. Clearly the power to prevent the secession of Virginia was within the easy reach of the Republican Administration in 1861. The reasons why that power was not exercised and the proper allocation of the blame for the tragic failure of statesmanship are subjects beyond the scope of this study by Professor Shanks. While one may feel disposed to quibble with the author over a few relatively unimportant items and while one may wish a little more attention had been given to social and economic influences, the essential facts regarding the subject have been faithfully presented. This work should be the standard history of the secession movement in Virginia for a long time.

RUHL J. BARTLETT

Tufts College

*Disloyalty in the Confederacy.* By Georgia Lee Tatum. (Chapel Hill: The University of North Carolina Press, 1934. Pp. xii, 176. \$2.50.)

This is the sort of book necessary to balance accounts of the Southern Confederacy. Heretofore, the impression has been too often left that the South fought as a unit with a common purpose. There have appeared short articles in historical journals showing that this was not the case, and a few books like Ella Lonn's *Desertion During the Civil War* and A. B. Moore's *Conscription and Conflict in the Confederacy* have dealt with certain kinds of dissent that prevailed; but no one up to this time had made an investigation of general disloyalty.



Miss Tatum has found the causes of this disloyalty to the Confederacy in a certain inherent unionism which had not been dissipated by the sectional animosities of ante-bellum times and which asserted itself in opposition to secession, in disagreement with certain Confederate legislation such as the conscription acts, impressment laws, the tax-in-kind law, the suspension of the writ of *habeas corpus*, and in the general physical and mental suffering that came with the rigors of war and the growing feeling that the South could not win. Much of this disloyalty was organized around certain peace societies, the best known of them being the Peace and Constitutional Society, the Peace Society, and the Order of the Heroes of America. These were secret oath-bound organizations which sprang up widely during the second year of the war, especially following the conscription acts. Most of the book is concerned with the activities of these societies, which are taken up and discussed state by state. All the Confederate states are included with the exception of Louisiana, which was omitted on account of its early occupation by the Federal troops.

Miss Tatum has depended for the most part on the *Official Records of the Union and Confederate Armies*. Her disclaimer as to the value of newspapers for this study was likely based more on the difficulty of locating them than on their content. There are many Confederate newspapers that could have enriched it. Also certain manuscript materials in the various state archives would have greatly helped. Yet this is not to say that the book is not reasonably complete. Although the style might be improved upon and an abrupt ending made less so, it is a valuable contribution to the bibliography on the Confederacy.

E. M. COULTER

University of Georgia

*A Kentuckian at the Court of the Tsars, or The Ministry of Cassius Marcellus Clay to Russia, 1861-1862 and 1863-1869.* By James Rood Robertson. (Berea: Berea College Press, 1935. Pp. 286. \$2.50.)

Dr. Robertson died in April, 1932, leaving the manuscript of this book practically completed. His widow, Catherine Lansing Robertson, edited his work and secured its publication. After a brief account of Clay's picturesque life, the peculiar circumstances of his appointment as minister, the interesting events of his journey to Russia, and his warm reception at the court in St. Petersburg, the author describes our diplomatic personnel during the Civil War period and then dis-

cusses the attitude of European nations, particularly England, France and Russia, toward the United States during the early years of this period. Clay, " 'standing as a sentinel at the outposts of the Republic,' " is shown as a most fortunate diplomatic appointment where his presence and services suggest Franklin in Paris during the American Revolution, though the author does not mention the similarity. The displeasure of England and France over the blockade and the cutting off of shipments of cotton, and the equal displeasure at Washington over the recognition of the belligerency of the Confederates, are clearly set forth in their threatening aspects. " 'The taint of slavery,' " however, is given as restraining England from recognition, while France is portrayed as wanting to recognize a new American Republic but fearing to act alone.

Prince Gortchacow, the Russian chancellor, and the Tsar are revealed as manifesting sympathy for the Union throughout the conflict, much to the concern of Great Britain and the irritation of France. The author states that the Polish revolt in 1863 complicated conditions in Europe and created a situation in Russia not unlike the controversy in the United States. England, France and Austria, sympathizing with the Poles, invited the United States to join them in some form of intervention. Seward declined and Clay encouraged Gortchacow to publish his refusal, an act which highly pleased the Russians. Clay now found himself seeking the moral support of his country for Russia instead of seeking Russia's support of the United States. The upshot was the Emperor was left alone to deal with the Poles just as Lincoln desired to be let alone in putting down the rebellion against his government. Much significance is also attached to Russia's manifestation of friendship by visits of her fleets in eastern and western ports of the United States in 1863-64. Lincoln is pictured "instructing Seward . . . to give 'mild applications of Russian salve for our *friends* over the way and heavy doses—and plenty of it—for our Southern patient!!' "

One finds that Clay expressed much concern over the Mexican situation, and sought to command an army along the Rio Grande on returning to the United States in 1862. It is interesting to learn that he came near commanding the Union forces at Richmond, Kentucky, when they were rioted by General Kirby Smith in August, 1862. Clay was concerned with many details of American interests in Russia. The tariff and commerce in general received his attention, and he did not encourage the notorious Perkins' claims against the Russian government. He was active in promoting plans to construct a telegraph line to connect the United States and Russia *via* the Aleutian Islands, and he deserves much credit for the purchase of Alaska.

Dr. Robertson shows that the Minister's continuous service in Russia from May, 1863, to September, 1869, was replete with most pleasant associations and courtesies. His presence, with the special permission of the Emperor, at the reception and banquet given in 1866 by the Mayor and business men of Moscow on the occasion of the anniversary of the coronation of Alexander II and the emancipation of the serfs, "was an unusual courtesy to our legation, and the first of its kind granted in Russia." The *Moscow News* reported that "Many ambassadors might come and go without notice, but the arrival of General Clay and his secretary 'could not pass unnoticed. . . . Even the peasants presented themselves to the minister with greetings and bread and salt.' "

Several full page illustrations constitute a valuable feature of the book. From steel engravings used by Clay in *The Life, Memoirs, Writings, and Speeches of Cassius M. Clay* (1886), cuts are produced of President Lincoln, Alexander II, Empress Marie, Prince Gortchacow, and Clay's home, White Hall. A most unusual picture of Joel T. Hart's bust of Mr. Clay and a three-quarter length cut of the Minister are also included. The full page cut of the Moscow Banquet in 1866 where Clay was especially honored is most valuable. Dr. Robertson's own picture appears as the frontispiece. Professional historians will regret the lack of complete and copious footnotes. The work is not without some faults, but it is a most valuable contribution to the literature of this critical period in American history.

JONATHAN T. DORRIS

Eastern Kentucky State Teachers College

*The Mis-Education of the Negro.* By Carter Godwin Woodson. (Washington: The Associated Publishers, Inc., 1933. Pp. xiv, 207. \$2.00.)

*The Shadow of the Plantation.* By Charles S. Johnson. (Chicago: The University of Chicago Press, 1934. Pp. xxiv, 215. \$2.50.)

Dr. Woodson is not satisfied with the education the Negro has been receiving; he is critical of the politicians, teachers, preachers and other professional men of the race—of nearly all of the "talented tenth" in fact; and sometimes he seems to have his doubts about the race as a whole.

As stated in the preface, the book is the result of reworking numerous speeches and articles expressing the author's ideas, and has the defects of its origin. The repetition, for example, becomes rather wearisome.

Briefly, Dr. Woodson's thesis is that the attempt to give to Negroes the type of education designed and developed for whites has failed. Those who have had higher education according to the system have grown away from the race. They are generally slavish imitators of the whites, and are anxious to escape contact with their own people. The great mass of the race is dulled and puzzled by the little they have received, is satisfied with small things, and is jealous and suspicious of those who are attempting to do more. Incidentally all these defects are the fault of the white man.

The remedy is entirely different education for the Negro, which will develop initiative and self-reliance. Unfortunately discussion of the content is vague. One of the few concrete suggestions is that Negro children should be taught the glories of the legendary medieval kingdoms of Africa, rather than those of the empires of Augustus or Charlemagne; and that the achievements of individual Negroes in the Modern World should be stressed.

Professor Johnson's book, on the other hand, is a serious sociological study of a rural Negro population in a limited area, done under the auspices of the Rosenwald Fund. The area studied is a part of Macon County, Alabama, in which the Negro population is more than 82 per cent. Six hundred and twelve families were visited by the field assistants who evidently spent considerable time with each family, and quite as evidently secured their confidence to an unusual degree.

The study is arranged under the following heads: The Background, The Family, Economic Life, The Schools and The People, Religion and The Church, Play Life, and Survival (Health). The notes of the field investigators have been thoroughly digested, and frequent verbatim quotations are woven into the text. Though there are numerous statistical tables they are not obtrusive. The skill of the author and the competence of his aides have produced an interesting and illuminating book out of what might otherwise have been a dull and prosy account of a depressing subject.

The tenant problem in the South is increasingly important, and apparently insoluble. Any material which throws light upon the life of the workers upon that decadent institution, the plantation, is valuable. Professor Johnson has made a notable contribution to the scanty literature of the subject. It reflects credit both upon him and upon his staff at Fisk University. His understanding, sanity and clarity are admirable. Only rarely can his attitude be considered unfair to the other party in the partnership. The index is hardly adequate.

HOLLAND THOMPSON

The College of the City of New York

## Historical News and Notices

The Southern Historical Association and its publication, *The Journal of Southern History*, represent an important landmark in the growing interest in the history of the South. In the generation that has elapsed since Ulrich B. Phillips and William E. Dodd began their pioneering work about the turn of the century, that interest has increased rapidly, manifested in the publication of books and monographs, in the preservation of the section's historical records, and in the teaching of courses in southern history in colleges and universities.

The desirability of organizing members of the historical profession in the South and persons elsewhere interested in its history into an association, has been casually discussed for several years. Believing that the time was propitious to form such a society, invitations were issued to representative historians in the South to meet at Atlanta, November 2, 1934. The initiative in calling this meeting was taken by Charles M. Knapp, of the University of Kentucky, Philip M. Hamer, of the University of Tennessee, Thomas P. Abernethy, of the University of Virginia, and Benjamin B. Kendrick, of the Woman's College of the University of North Carolina. Encouraging responses were received from nearly every southern state and, on the appointed day, a score of historians representing nearly as many institutions assembled in Atlanta, adopted a constitution and by-laws, elected officers for the year 1934-35, and provided for the publication of a quarterly review. Plans for the Association and its publication were further discussed at Washington, D. C., December 27-29, by such organizing members as were attending the American Historical Association, and meetings of both the Executive Council and the Board of Editors were held at that time.

The major objective of the Association involves the promotion of interest and research in southern history, the collection and preservation of the South's historical records, and the encouragement of state and local historical societies in that section to vigorous activity. As a secondary purpose the Association will also serve, through annual meetings and otherwise, to foster the teaching and study of all branches of history in the South.

It is to the accomplishment of its major objective that *The Journal of Southern History* is dedicated. Southern history will be defined

broadly in determining the inclusion of articles, documents, and reviews. The historical news section, it is hoped, will enable teachers of history in the South, and scholars interested in southern history residing elsewhere, to become better acquainted with each other, and to understand and appreciate common problems and purposes.

But the Association and its organ are provincial only in object. Interest in southern history is not limited to the South, as is evidenced by courses in that subject offered in institutions of higher learning in almost every section of the country. Likewise, scholars, researchers, and writers are scattered throughout the United States. Membership in the Association is limited only by interests in its objectives. It was perhaps natural that historians in the South should take the initiative in forming the Association, but they have no intention of making the organization exclusive.

The publication of a quarterly review by the Association is made possible by a guaranty provided by Louisiana State University to supplement its own funds derived from membership dues. Editorial policy is determined by a Board of Editors chosen by the Council of the Association. The *Journal* is scheduled to appear in February, May, August, and November, though the first issue and probably the second will come from the press late. This alternative was chosen in order to make volume numbers correspond with calendar years.

The Executive Council of the Association consists of the president, the vice-president, the secretary-treasurer, and the managing editor of the *Journal*, who serve ex-officio, and of six elected members whose three year terms are overlapping. At the Atlanta meeting the following elected members were chosen: Benjamin B. Kendrick, Kathryn T. Abbey, Philip Davidson, Walter B. Posey, Kathleen Bruce, and Charles W. Ramsdell.

#### PERSONAL

R. D. W. Connor, head of the department of history at the University of North Carolina, resigned last autumn to become archivist of the United States. His courses during the fall term were carried on by William K. Boyd, of Duke University, and H. T. Lefler, of the University of North Carolina at Raleigh, both of whom commuted to Chapel Hill. Professor Lefler is continuing his course during the remainder of the regular session.

Philip M. Hamer, of the University of Tennessee, is on leave during the latter part of the current session. He is engaged in research in the

University of Chicago Library and in the Library of Congress. In his absence, W. Neil Franklin is serving as acting managing editor of the East Tennessee Historical Society's *Publications*.

J. L. Glanville, of Southern Methodist University, sailed on February 15 for Rome, where he will investigate Italian colonial policy under a grant from the Social Science Research Council. He intends to be abroad until July.

Kenneth O. Warner, of the University of Arkansas, was granted a year's leave of absence, beginning February 1, to work for the American Municipal League in Arkansas, Mississippi, and Louisiana. His place at the University of Arkansas will be filled by Spencer D. Albright, a graduate of the University of Arkansas and of Chicago University.

Ralph C. McDanel, of the University of Richmond, has a fellowship during the current year for study at Geneva. Samuel C. Mitchell, of the same institution, is also on leave of absence in Europe.

During the school year, 1935-36, Loren C. MacKinney, of the University of North Carolina, will be on leave of absence, studying early medieval manuscripts in English, French, and Italian libraries.

Thomas P. Abernethy, of the University of Virginia, will devote the summer of 1935 to completing his study on Virginia's western lands. Cary Johnson, also of the University of Virginia, will spend the summer investigating science in the Old South.

Summer migrations for 1935 include: Charles S. Sydnor, of the University of Mississippi, W. H. Callcott, of the University of South Carolina, W. T. Morgan, of Indiana University, Hastings Eells, of Ohio Wesleyan University, and O. H. Wedel, of the University of Arizona, to teach at Duke University; W. Neil Franklin, temporarily at Maryville College, to teach at the University of Tennessee, J. B. Sanders, of the University of Alabama, W. G. Bean, of Washington and Lee University, and Loren C. MacKinney, of the University of North Carolina, to teach at the University of Virginia; Henry T. Shanks, of Birmingham-Southern College, to teach at Emory University; Walter B. Posey, of Birmingham-Southern College, to teach at the University of Alabama; B. I. Wiley of Hattiesburg State Teachers College, to teach at Peabody College; R. A. McLemore of Judson College, to teach at Hattiesburg State Teachers College; Edward Everett Dale, of the University of Oklahoma, to teach at the University of Nebraska.

E. Merton Coulter, of the University of Georgia, gave a series of lectures on southern history at Louisiana State University, December 10-12. His subjects were: "Civilization in the Old South," "The Southern Historical Association," and "Parson William G. Brownlow."

The recipient of the McClung Award for 1934 is Culver H. Smith, of the University of Chattanooga. The Award is a cash prize of fifty dollars for the best contribution to each number of the East Tennessee Historical Society's *Publications*. Professor Smith's study is entitled, "Propaganda Technique in the Jackson Campaign of 1828."

Walter Prichard, of Louisiana State University, has been appointed editor of the *Louisiana Historical Quarterly* in place of Henry P. Dart, deceased.

The Institute for Research in the Social Sciences at the University of Virginia has authorized two new history projects. Lester J. Capon will study the history of the southern iron industry with emphasis on the period since 1865, and Stringfellow Barr will write a history of the classical world.

A. B. Moore, of the University of Alabama, has in press a comprehensive, one volume history of the State of Alabama.

Francis B. Simkins, of the State Teachers College, Farmville, Virginia, has completed a study of "The Women of the Confederacy" which will be published within the year.

Edward Wyatt, IV, of the Petersburg, Virginia, *Progress-Index*, is collecting material for an economic history of Petersburg, 1800-1860.

W. S. Jenkins, of the University of North Carolina, has in press (University of North Carolina Press) a volume entitled, "Pro-Slavery Thought in the Old South: An Historical and Analytical Study of the Mind of the Slaveholder."

The Alabama State Department of Archives and History has in press a dissertation (Vanderbilt) by Lewy Dorman entitled, "Party Politics in Alabama, from 1850 through 1860." Formerly of Huntington College and Athens Female College, Dr. Dorman will devote his time hereafter to research.

Tulane University recently acquired some five thousand documents relating to John McDonogh which will be used by Mack Swearingen, of the history faculty, in preparing a biography of McDonogh. He



will be very grateful for information regarding other McDonough papers extant.

The passing of Henry Plauché Dart on September 27 constitutes a serious loss to the historical profession. Since 1922 he edited the *Louisiana Historical Quarterly*, and he also served as archivist of the Louisiana Historical Society and as president of the State Museum. A commendable contribution was the preservation of early Louisiana documents, including the records of the French Superior Council and the judicial records of the Spanish period, both of which are appearing serially in the *Louisiana Historical Quarterly*. His history of the Louisiana Supreme Court (1913) was written to commemorate the centennial anniversary of that institution. He attained distinction at the New Orleans bar, became an authority on the civil law, and lectured on legal history at Loyola University (New Orleans) for two years. From that university he received an honorary LL.D. degree in 1922.

#### HISTORICAL SOCIETIES

The Maryland Historical Society announces that the Warden Papers are being arranged with the view of making them available for historical use. Warden was consul-general of the United States in France for forty years. The collection includes letters from Thomas Jefferson, John Adams and other contemporaries.

Recent accessions of the North Carolina Historical Commission include: 442 pamphlets and books, thirty-three broadsides, two maps, and a file of the *Southport Leader*, 1890-95, to the Thomas M. Pittman Collection; 998 letters dealing with politics, commerce, and speculation in western lands, chiefly in the 18th century, to the John Gray Blount Collection; minute book of the Fayetteville Fire Engine Company, Number 2, 1833-53; minute books of the Richmond County Court, 1793-97, 1801-02; a file of *The Field and Fireside* (Raleigh), 1866; a collection of catalogues of Asheville Female College, 1880-96; papers and records of the Ladies' Memorial Association of Wake County; and the papers and records of the General James Johnston Pettigrew Chapter, U. D. C., Raleigh.

At the ninety-sixth annual meeting of the Georgia Historical Society, T. M. Cunningham was re-elected president and E. Merton Coulter was continued as editor of the *Quarterly*. The large and valuable collection of Georgia newspapers, beginning with the first issues of the *Georgia Gazette* and continuing down with various newspapers

to the present, is being indexed by trained workers provided by the FERA. They are also indexing the printed Colonial and Revolutionary records, and arranging manuscripts and pamphlets.

Of interest to students of southern history is the organization of the Natchez Trace Association in January, 1934, at the Edwards House in Jackson, Mississippi. The Association is composed largely of members of the D. A. R. who have been engaged for many years in marking the route. They now hope, through their new organization, to have the trace paved and made into a national parkway. A survey of the route by the government is in progress, and a bill to provide for its paving is pending before Congress. If present plans materialize, the road as surveyed from Nashville to Natchez will follow exactly the windings of the old Indian trace, and will be wide enough to include within the parkway historic buildings and places along its route.

Recently the Dallas Historical Society moved its growing collection to the library of the Southern Methodist University. The curator, H. P. Gambrell, announces the acquisition of the Colonel John M. Moore Papers. This collection is composed of 166 letters, seven journals and account books, and some newspaper clippings. Colonel Moore was an early Texas industrialist who served his state as purchasing agent in Mexico during the War for Southern Independence.

The eighth annual session of the Emory University Institute of Citizenship was held February 11-15. Among those on the program were Daniel C. Roper, secretary of commerce, John W. Studebaker, commissioner of education, Peter Molyneau, editor of the *Texas Weekly*, Douglas Booth, English traveler, George Fort Milton, editor of the *Chattanooga News*, Herman C. Nixon, of Tulane University, J. W. Manning, of the University of Kentucky, and George Sherrill, of Clemson College.

The program of the history section of the Oklahoma Educational Association, which met at Tulsa, February 8, was arranged by T. H. Reynolds, head of the department of history at Oklahoma A. & M. College. It embraced: "The Role of History in Civilization," by Watt Stewart, Oklahoma A. & M. College; "Southwest Society," by E. E. Dale, of the University of Oklahoma; and "Southwest History and Southwest Lore," by J. Frank Dobie, of the department of English, the University of Texas.

## BIBLIOGRAPHY

The Historical Publishing Company, of Charlottesville, Virginia, is bringing out under the general editorship of J. D. Eggleston, president of Hampden-Sydney College, a series of "sketches of the important but relatively obscure Southerners." *Southern Sketches, Number 1*, embraces *Hinton Rowan Helper, Advocate of a "White America."* 15 pp., by Hugh Talmadge Lefler, of the University of North Carolina.

The "Faculty Studies Number" of the *Bulletin of Furman University* (December), contains "Letters Dealing with the Secession Movement in South Carolina," edited by Rosser H. Taylor.

*Politics in the South: An Estimate*, 38 pp., is the title of a study by S. D. Myres, Jr., published as the Summer, 1934, number of *Arnold Foundation Studies in Public Affairs*. Professor Myres is director of the Foundation, established by George F. and Ora Nixon Arnold at Southern Methodist University in 1924.

*A Glimpse at Historic Madison County and Richmond, Kentucky*, 65 pp., by Jonathan T. Dorris, was issued in 1934 by the Richmond Chamber of Commerce and the Madison County Historical Society, with the endorsement of the Daniel Boone Bicentennial Commission. There are copious illustrations including a map of Madison County and an early plat of Boonesborough. Professor Dorris emphasizes the pioneer work of Daniel Boone and his contemporaries, but also includes material from later periods.

Edmund Randolph's manuscript history of Virginia, which has heretofore been accessible only to research workers in the Virginia Historical Society, will shortly be published through the generosity of the Virginian Society of New York. That portion dealing with the period, 1774-82, will appear serially in the *Virginia Magazine of History and Biology*, beginning with the April issue.

Of unusual interest to students of southern history is the publication of "A Bibliography of the Writings of Professor Ulrich Bonnell Phillips," in *Agricultural History* (October). An introduction by Fred Landon, of the University of Western Ontario, briefly reviews Professor Phillips' career and evaluates his work as a scholar and teacher. The bibliography, meticulously compiled by Everett E. Edwards, editor of *Agricultural History*, is chronologically arranged under four divisions: articles, books, book reviews, and edited works. Five books, six

edited works (two of them book length and one of two volumes), fifty-two articles, and forty-seven book reviews, constitute a monument to his memory which will long endure.

Professor Phillips was born in Georgia in 1877, received his bachelor's degree from the state university in 1897 and his master's degree in 1899. His doctorate was taken at Columbia University in 1902, his dissertation (*Georgia and State Rights*) winning the Justin Winsor prize. He taught successively at the University of Wisconsin (1901-08), Tulane University (1909-11), the University of Michigan (1911-29), and Yale University (1930-34). Books and monographs appeared periodically, with *American Negro Slavery* (1918) adjudged by many as his most significant contribution. In 1929 he was awarded a prize of \$2500 by Little, Brown and Company for the manuscript of his *Life and Labor in the Old South*, and a little later he received an Albert Kahn fellowship of \$5000 for a trip around the world. He died on January 21, 1934, leaving unfinished the second and third volumes of his proposed three-volume history of the South.

Concentrating upon economic and social history, Professor Phillips reconstructed plantation life of the Old South and demonstrated clearly the value of plantation records—diaries, journals, account books—as sources of historical information. Yet he freely admitted that much remained to be done. Not until countless records in all parts of the South have been investigated can it be determined what was common and what unusual—in plantation life.

Professor Phillips was a stylist. Nothing delighted him more than to turn a good sentence. He preferred particularization to generalization; the more research he did, he often commented, the less willing he was to generalize. The few composites that he permitted himself, are, however, delightful and authentic passages. The meager reminiscence which punctuates his later works is sufficient to inspire the wish that he had had opportunity to write more autobiography. All of his works were carefully written, and many of his chapters were drafted a dozen times. It is difficult to find a superfluous word or phrase in any of his writings. He practiced the maxim which many of his students will remember as a refrain from his seminar, "The writer must take pains to save the reader pains."

Fully as significant as his publications, substantial and meritorious as they are, is the influence he exerted upon young scholars who studied in his classes, whether at Wisconsin, Tulane, Michigan, or Yale. His approach to the study of southern history, together with the host of students he inspired to continue his work, mark him as the head of a

new school of historical thought. In many respects Professor Phillips achieved for the social and economic history of the Old South what Frederick Jackson Turner contributed to the study of the American frontier.

Chapters VII-X of Percy L. Rainwater's doctoral dissertation (Chicago) on "Mississippi—Storm Center of Secession, 1856-1861," have been published in the *Mississippi Law Journal*: "The Presidential Canvass of 1860 in Mississippi," August, 1933; "Lincoln Elected—The Proposed Remedies," December, 1933; "The Canvass for Delegates to the Convention of 1861," February, 1934; "The Personnel and Work of the Convention of 1861," April, 1934.

*The Minutes of the North Carolina Manumission Society, 1816-1834*, edited by H. M. Wagstaff, of the University of North Carolina, appeared in the *James Sprunt Historical Studies*, XXII, Nos. 1 and 2 (1934).

H. T. Lefler, of the University of North Carolina at Raleigh, published in 1934, *North Carolina History Told by Contemporaries* (University of North Carolina Press).

The winter, 1935, issue of the *Westminster Magazine*, published at Oglethorpe University, is a southern number. William S. Knickerbocker, in "Tactics in Tennessee," presents "Some Entirely Personal Notes" on his observations of Nashville Agrarians. He closes by recommending to young southerners the mastery of four books "if they wish to lend their aid to the vital exertions of the South as a region upon the cultural development of the times": Edwin Mims, *The Advancing South*, the symposium by the Nashville group, *I'll Take My Stand; the South and the Agrarian Tradition*, Virginius Dabney, *Liberalism in the South*, and the symposium edited by W. T. Couch, *Culture in the South*. He also suggests, "as a further corrective," George Fort Milton's two volumes, *The Age of Hate: Andrew Johnson and the Radicals*, and *The Eve of Conflict: Stephen A. Douglas and the Needless War*. John Gould Fletcher discusses the work of "The Modern Southern Poets": John Crowe Ransom, Donald Davidson, Allen Tate, Robert Penn Warren, minor "Fugitives" (Merrill Moore, Alec B. Stevenson, Jesse Wills, Gene de Bullet, Randall Jarell, Edwin R. Frost), and John Peale Bishop. In his conclusion, he attempts "a statement of general tendency, and a discussion of the future prospects for poetry of this distinctively 'Southern type.'" "Is Our Ink Well?" by Maristan Chapman (the composite name of Mary and Stanley Chapman), is "A Cata-

log Comment upon Southern Novelists from 1917 to 1934." An article by W. T. Couch, "Economic Planning in the South," considers five types widely discussed at present, international, industrial, regional, agrarian, and collective.

*The Southwest Review*, published jointly by Southern Methodist University and Louisiana State University, attains a high standard of excellence as a literary and social science magazine in its New Orleans number (January). Featured in this issue is a section devoted to "Old Louisiana Buildings." Several articles have a bearing upon the South: "Planning the Southern Economy," by Rupert B. Vance, "A Liberal at Chapel Hill," by John M. Gibson, "J. D. B. DeBow, Publicist," by H. C. Nixon, and "The Unrecorded South," by Gwen Bristow. Among other contributors are John Madison Fletcher, Meigs O. Frost, Roark Bradford, John Earle Uhler, Pierce Butler, Cleanth Brooks, Robert Penn Warren, Frederick W. Meier, James B. Trant and J. Frank Dobie.

"The South Astir," by H. L. Mencken, and "John Crowe Ransom: A Study in Irony," by Robert Penn Warren, are contributions to the *Virginia Quarterly Review* (January).

Articles on the Upper South: "Mistress Margaret Brent, Spinster," by Julia Cherry Spruill, "Maryland and the Earl of London," by Paul H. Giddens, and "The Maryland Gazette: An American Imitation of the *Tatler* and the *Spectator*," by Martha C. Howard, in the *Maryland Historical Magazine* (December); "'Christ's Cross,'" by Singleton Peabody Moorehead, in the *Virginia Magazine of History and Biography* (January); "The Representation Controversy in Colonial North Carolina," by Lawrence F. London, and "Radical Disfranchisement in North Carolina, 1867-68," by William A. Russ, Jr., in the *North Carolina Historical Review* (October); "Some Recent Finds Regarding the Ancestry of General George Rogers Clark," by R. C. Ballard Thruston, and "Richard Callaway, Kentucky Pioneer," by Charles W. Bryan, Jr., in the *Filson Club History Quarterly* (January); "John Cabell Breckinridge," concluded, by Lucille Stilwell Williams, in the *Register of the Kentucky State Historical Society* (January); "Smoky Mountain History as Told in Place-Names," by Paul M. Fink, "Gideon Blackburn," by V. M. Queener, "Tennessee's Four Capitals," by Robert H. White, "Craddock's First Pseudonym," by Edd Winfield Parks, and "The Origins of the Nashville and Chattanooga Railroad," by S. J. Folmsbee, in the *East Tennessee Historical Society's Publications* (1934); "Tactics in Tennessee," by W. S. Knickerbocker, in the *Westminster Magazine* (January-March); "Collins D. Elliott and the

Nashville Female Academy," by J. E. Windrow, in the *Tennessee Historical Magazine* (January); "The Panic of 1819 in Missouri," by Dorothy B. Dorsey, "The First Roads West of the Mississippi," by Ida M. Schaaf, and "The Early History of Lead Mining in Missouri," continued, by Ruby Johnson Swartzlow, in the *Missouri Historical Review* (January); "Governor William Leander Byrd," by John Bartlett Meserve, in the *Chronicles of Oklahoma* (December).

Documents and compilations on the Upper South: "Land Records of Baltimore County, 1676 to 1768," contributed by Louis Dow Scisco, and "Early Maryland Newspapers," continued, compiled by George C. Keidel, in the *Maryland Historical Magazine* (December); "Henrico Parish in the Diocese of Virginia and the Parishes Descended Therefrom," in the *Virginia Magazine of History and Biography* (January); "John Brown's Journal of Travel in Western North Carolina in 1795," edited by A. R. Newsome, in the *North Carolina Historical Review* (October); "Three Letters by Henry Clay, 1829, 1842, and 1851," copied by Otto A. Rothert, in the *Filson Club History Quarterly* (January); "The Pioneer Grants," compiled by Alice Read (Mrs. Shelley) Rouse, "History in Circuit Court Records—Fayette County, Kentucky," abstracted by Charles R. Staples, and "Early Western Exploration," edited by Willard Rouse Jillson, in the *Register of the Kentucky State Historical Society* (January); "The Executive Journal of Governor John Sevier," continued, edited by Samuel C. Williams, in the East Tennessee Historical Society's *Publications* (1934).

Articles on the Lower South: "A Merchant-Planter of the Old South," by Josiah Moffatt, in the *South Atlantic Quarterly* (January); "The Swiss Background of the Purrysburg Settlers," by F. Harold Fercken, "Purrysburg, A Swiss-French Settlement of South Carolina, on the Savannah River," by Harriette Dubose Kershaw Leiding, "Purrysburg As It Is Today," by Henry L. Beck, and "The Courtonnes of South Carolina," by Susan Smythe Bennett, in the *Transactions of the Huguenot Society of South Carolina* (1934); "The Schooner Emperor: An Incident of the Illegal Slave Trade in Florida," by Dorothy Dodd, in the *Florida Historical Society Quarterly* (January); "A Critique of Certain Georgia Ante Bellum Literary Magazines Arranged Chronologically, and a Checklist," by Gertrude Gilmer, "The Industrial and Social Influences of the Salzburgers in Colonial Georgia," by Hester Walton Newton, "The Reverend Bartholomew Zouberbuhler," by Edgar Legare Pennington, and "The Gay Nineties in Savannah: Notes on the 'Fin de Siecle' and Its Ways," by Martha Gallaudet

Waring, in the *Georgia Historical Quarterly* (December); "Rapides Parish, Louisiana, A History," concluded, by G. P. Whittington, "Some Distinguished Hispano-Orleanians," by John Smith Kendall, and "The Origin and Early Development of County-Parish Government in Louisiana," by Robert Dabney Calhoun, in the *Louisiana Historical Quarterly* (January); "J. D. B. DeBow, Publicist," by H. C. Nixon, in the *Southwest Review* (January); "Factors Conditioning the Incidence of Migration Among Louisiana Negroes," by Fred C. Frey, in the *Southwestern Social Science Quarterly* (December); "The Commanchero Trade," by J. Evetts Haley, "Benjamin Rush Milam," continued, by Lois Garver, and "The Location of the Tejas Indian Village (San Pedro) and the Spanish Missions in Houston County, Texas," in the *Southwestern Historical Quarterly* (January); "The Texas Schemes of Jackson and Houston, 1829-1836," by Richard R. Stenberg, in the *Southwestern Social Science Quarterly* (December).

Documents and Compilations on the Lower South: "The Correspondence of Peter Timothy, Printer of Charlestown, with Benjamin Franklin," edited by Douglas C. McMurtrie, "The Cheves Family of South Carolina," continued, compiled by Susan Smythe Bennett, and "The Thomas Elfe Account Book, 1768-1775," continued, contributed by Mabel L. Webber, in the *South Carolina Historical and Genealogical Magazine* (October); "Wills and Deeds of South Carolina Huguenots," edited by Katherine B. Mazyck, in the *Transactions of the Huguenot Society of South Carolina* (1934); "A Topographical Memoir on East and West Florida with Itineraries of General Jackson's Army, 1818," concluded, by Captain Hugh Young, U. S. A., with notes by Mark F. Boyd and Gerald M. Ponton, in the *Florida Historical Society Quarterly* (January); "Records of the Superior Council of Louisiana," continued, translated by Heloise H. Cruzat, marginal notes by Henry P. Dart, and "Index to the Spanish Judicial Records of Louisiana," continued, translated by Laura L. Porteous, marginal notes by Henry P. Dart, in the *Louisiana Historical Quarterly* (January); "Reconstruction on the Lower Mississippi," edited by John D. Barnhart, in the *Mississippi Valley Historical Review* (December); "Diary of Adolphus Sterne," concluded, edited by Harriet Smither, in the *Southwestern Historical Quarterly* (January).

General and regional articles: "Propaganda Technique in the Jackson Campaign of 1828," by Culver H. Smith, in the East Tennessee Historical Society's *Publications* (1934); "Recent Farm Ownership Changes in the Cotton Belt and Their Significance for Migration," by



Edward E. Lewis, "Nationalism as Expressed in Negro History," by Walter L. Daykin, "Race Discrimination and Negro Personality," by Walter R. Chivers, and "Balancing State Budgets in Southern Commonwealths during the Economic Crisis," by James E. Pate, in *Social Forces* (December); "Economic Planning in the South," by W. T. Couch, in the *Westminster Magazine* (January-March); "The Slave Trade between Kentucky and the Cotton Kingdom," by Thomas D. Clark, in the *Mississippi Valley Historical Review* (December); "Up from the South," by Herbert Ravenel Sass, in the *Sewanee Review* (January-March); "The Southern Lady's Library, 1700-1776," by Julia Cherry Spruill, in the *South Atlantic Quarterly* (January).

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Philip M. Hamer is professor of history at the University of Tennessee.

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# A Ten-Year Record

THE VIRGINIA QUARTERLY REVIEW has published the following articles, of peculiar interest to the historian of Southern culture, in issues not yet out of print. Some of these articles deal with the Old South; others are comments on the South of the past decade, by penetrating observers:

- July, 1926      *Jefferson, Master Politician*, by Claude G. Bowers.  
January, 1927   *Mr. Jefferson Visits the Sesqui-Centennial*, by J. G. de Roulhac Hamilton.  
April, 1927      *Fleshpots in the South*, by Broadus Mitchell.  
October, 1927   *Those Southern Repudiated Bonds*, by J. G. de Roulhac Hamilton.  
October, 1928   *A Challenge to Patriots*, by Dumas Malone.  
October, 1928   *Southern Image-Breakers*, by Gerald W. Johnson.  
October, 1929   *The South's Lost Leadership*, by J. N. Aiken.  
October, 1929   *Leaders in the Desert*, by James Southall Wilson.  
January, 1930   *North Carolina at the Cross Roads*, by Nell Battle Lewis.  
April, 1930      *Is There a Southern Renaissance?* by Howard Mumford Jones.  
July, 1930      *Wilson and the South Today*, by John Temple Graves II.  
October, 1930   *Shall Slavery Come South?* by Stringfellow Barr.  
January, 1931   *Polly Jefferson and Her Father*, by Dumas Malone.  
April, 1931      *The Mississippi Imbroglia*, by Clarence E. Cason.  
July, 1931      *Captains of Southern Industry*, by Claudius Murchison.  
October, 1931   *A Plantation Retrospect*, by William Cabell Bruce.  
October, 1931   *Captains Uncourageous*, by Charles A. Beard.  
January, 1932   *Lamar of Mississippi*, by J. G. de Roulhac Hamilton.  
July, 1932      *The Southern Conscience*, by Clarence E. Cason.  
October, 1932   *Ben Tilman: The Ploughboy from Edgefield*, by Phillips Russell.  
January, 1933   *Theodore Roosevelt and the South*, by Henry F. Pringle.  
January, 1933   *The Epicure of the White House*, by Marie Kimball.  
April, 1933      *The South and Tradition*, by John Peale Bishop.  
April, 1933      *The Southern White Man and the Negro*, by R. Charlton Wright.  
July, 1933      *The Room Where My Uncle Died*, by Stark Young.  
January, 1934   *Nationalism and the South*, by Claudius Murchison.  
April, 1934      *The Sacred Harp in the Land of Eden*, by Donald Davidson.  
April, 1934      *Three Eighteenth-Century Gardens*, by Mary Frances Goodwin.  
July, 1934      *The Dilemma of Edmund Ruffin*, by James Truslow Adams.  
July, 1934      *Hamilton and Jefferson Today*, by Broadus Mitchell.

# The Virginia Quarterly Review

now ten years old, congratulates the Journal of Southern History as it starts its career, and predicts for it a valuable future. Despite obvious differences in function, the two magazines have much in common. Both are deeply concerned with the cultural history of the South. Although the Virginia Quarterly has for ten years published the best in literature, including articles on all sorts of subjects, political, economic, literary, social, by authors American and European, some famous all over the world, others just beginning their careers, it has throughout its ten years of publication given especial attention to articles interpreting the contemporary South, to historical articles on the Old South, and to reviews of new books that made a real contribution to Southern history. By that policy it has simultaneously achieved a worldwide reputation as one of America's leading magazines and a reputation for furnishing an intelligent critique of the Southern tradition.

On the opposite page are printed the titles of some of the important articles that have appeared in the Virginia Quarterly. Mention has been restricted to issues of the Quarterly not yet exhausted. As a special offer to readers of the Journal of Southern History, an offer designed to celebrate the birth of the Journal and the tenth birthday of its elder Southern sister, the Virginia Quarterly will give to every NEW SUBSCRIBER to the Quarterly, free of charge, a copy of one of the issues listed on the opposite page, as long as the issues hold out. Just fill in the coupon. Your subscription will begin with the special anniversary number, out March 15, giving assessments by distinguished Southern critics, of contemporary Southern life and literature, and examples of that literature, in the form of articles, stories, and poetry. Its contents include work by John Crowe Ransom, Cleanth Brooks, Jr., Andrew Nelson Lytle, Katherine Anne Porter, Thomas Wolfe, John Donald Wade, Robert Penn Warren, Allen Tate, Conrad Aiken, Lawrence Lee, John Peale Bishop, Stark Young.

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A partial list of the contents of the April, 1935, issue is as follows:

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History of Revolutionary Period,  
1774-1782, and sketches of prominent men of that time by Edmund Randolph. (Governor of Virginia 1786).

(To be continued in next issues).

History of Flour and Grist Milling in Virginia.

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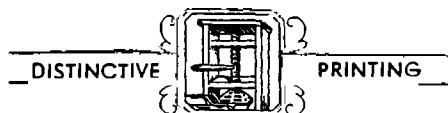
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